

Also, petition of O. E. Johnston, of Leadville, Colo., urging the passage of H. R. 1654, providing for increase of pay for post-office clerks and letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. NOLAN: Petition of United Brotherhood of Carpenters and Joiners of America, Local Union No. 22, of San Francisco, Cal., and 12 citizens of San Francisco, Cal., favoring the Madden bill, H. R. 1654; to the Committee on the Post Office and Post Roads.

Also, petition of John Nyglicek, secretary Pacific coast division Bohemian National Alliance, San Francisco, Cal., favoring independence of small nations; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Papers to accompany H. R. 9740, to pension Nels Christensen; to the Committee on Pensions.

By Mr. SULZER: Petition of Igloo No. 16, Pioneers of Alaska, Ketchikan, Alaska, relating to suspension of eight-hour law in connection with fisheries industry; to the Committee on the Territories.

By Mr. TAGUE: Petition of the Woman's Club, Beaver Dam, Wis., on increased postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of the Fortnightly Club, Sharon, Mass., on increase in postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of Joint Committee on National Representation for the District of Columbia on H. J. Res. 73 and S. J. Res. 64; to the Committee on the District of Columbia.

SENATE.

WEDNESDAY, February 13, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in Thy divine providence we have been called in this place of the Nation's highest council, in the midst of times that are tense, that are tragic; times where words are carried by the winds to the uttermost parts of the earth, where records are written in blood. O do Thou give to us divine inspiration and wisdom for the duties that day by day present themselves to us, that we may perform our duties with an eye single to Thy glory, knowing that the welfare, happiness, and peace of the world must come at last into conformity to the will of God and as an expression of Thy purpose among men. Hear us in this our prayer, and lead us in the discharge of every duty. For Christ's sake, Amen.

The Journal of yesterday's proceedings was read and approved.

NOBEL PEACE PRIZE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting, at the request of the secretary of the Nobel Committee of the Norwegian Parliament, a copy of the circular issued by the Nobel Committee, furnishing information as to the distribution of the Nobel peace prize for the year 1918, which, with the accompanying papers, was referred to the Committee on the Library.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also transmitted to the Senate resolutions on the life and public services of the Hon. ELLSWORTH R. BATHURICK, late a Representative from the State of Ohio.

PETITIONS AND MEMORIALS.

Mr. McLEAN. I present brief resolutions adopted at a meeting of Hartford citizens held under the auspices of the Connecticut Woman Suffrage Association. I ask that they be printed in the RECORD without reading.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

To Senator GEORGE P. McLEAN:

Resolutions adopted at a meeting of Hartford citizens, held under the auspices of the Connecticut Woman Suffrage Association on Friday, February 8, 1918.

Resolved, That this meeting call upon the Senate of the United States to pass the Federal woman suffrage amendment, thus insuring to our own country that democracy for which our men are fighting abroad. Be it also

Resolved, That this resolution be sent to Senator GEORGE P. McLEAN, and that he be requested to see that it is read into the CONGRESSIONAL RECORD.

Mr. McLEAN presented petitions of Local Branch No. 65, First Slovak Catholic Union, of Bridgeport; of Local Branch No. 508, First Slovak Catholic Union, of Bridgeport; of Local Assembly No. 9, Slovak Workers' Society, of Torrington; of Local Branch No. 452, National Slovak Society, of Torrington; of the Catholic Gymnastic Union Slovak Sokal, of Bridgeport; and of Local Branch No. 131, Slovak League, of Danbury, all in the State of Connecticut, praying for the liberation and unification of the Czecho-Slovaks of Austria-Hungary into one independent Czecho-Slovak State, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Connecticut Division of the woman's committee of the Council of National Defense, praying for the enactment of legislation to insure the planting of the tobacco lands of the country in foodstuffs as fast as may be done without injustice to the producer or disaster to a business heretofore recognized as legitimate, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Mansfield Center; of the Equal Franchise League of West Haven; and of the Trades Council of New Haven, all in the State of Connecticut, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. PHELAN presented a petition of the Calaveras and Alpine Stock Association, of San Andreas, Cal., praying that a portion of the Yosemite National Park be thrown open for the use and relief of the stockmen of California, which was referred to the Committee on Public Lands.

Mr. THOMAS presented a memorial of sundry citizens of Miltonvale, Kans., remonstrating against the enactment of legislation to make it unlawful to deposit in the mails of the United States advertisements of alleged exposures of the secret work of fraternal orders, etc., which was referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of South Carolina presented resolutions adopted by the First Congressional District Branch of the South Carolina Branch of the National Woman's Party, favoring the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. TOWNSEND presented a resolution adopted by the New Century Club, of Detroit, Mich., favoring the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of sundry employees of the John Deere Plow Co., of Lansing, Mich., praying for the adoption of certain amendments to the espionage act, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Detroit, Mich., remonstrating against the enactment of legislation authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government, which was ordered to lie on the table.

REGISTRATION FOR MILITARY SERVICE.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 124) providing for the registration for military service of all male persons citizens of the United States or residing in the United States who have, since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," reported it with an amendment and submitted a report (No. 269) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 3825) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917; to the Committee on Agriculture and Forestry.

By Mr. NEW:

A bill (S. 3826) for the restoration of the rate of pension formerly paid to Joseph O. Swigert (with accompanying papers); and

A bill (S. 3827) granting a pension to Clarence A. Murphy; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 3828) to authorize credits for enlistment in the naval service of the United States in the operation of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; to the Committee on Military Affairs.

By Mr. PHELAN:

A bill (S. 3829) granting an increase of pension to Isaiah Hutchison (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 3830) granting an increase of pension to John L. Daries (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 3831) granting an increase of pension to George A. Gardner (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 3832) granting a pension to John M. Honeywell (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 3833) to authorize Cole and Osage Counties, Mo., to construct a bridge across the Osage River; to the Committee on Commerce.

Mr. STONE. I introduce a bill to amend the act to provide revenue to defray war expenses approved October 3, 1917. It concerns particularly a part of the clause which deals with mines, oil, and gas wells. I am aware that bills raising revenue originate in the House of Representatives, but I desire, nevertheless, to introduce this bill and have it referred to the Committee on Finance, with a view of having it sent to the Treasury Department for the opinion of that department as to the merits of the bill.

The bill (S. 3834) to amend an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, was read twice by its title and referred to the Committee on Finance.

By Mr. SMITH of Maryland:

A bill (S. 3835) to amend an act entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District"; to the Committee on the District of Columbia.

By Mr. STONE:

A bill (S. 3836) granting an increase of pension to Joseph Vincent (with accompanying papers); and

A bill (S. 3837) granting an increase of pension to James H. King (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A joint resolution (S. J. Res. 132) to amend section 14 of the food-control act by increasing the guaranteed minimum price of wheat for the crop of 1918 from \$2 to \$2.50 per bushel; to the Committee on Agriculture and Forestry.

PURCHASE OF OFFICERS' UNIFORMS.

Mr. JONES of Washington. Mr. President, day before yesterday there was reported from the Committee on Military Affairs the bill (S. 3433) requiring the Government to furnish uniforms to officers of the Army, and for other purposes. I wanted to call up the bill yesterday, but did not have an opportunity. It is a very short measure, and I do not think it will lead to any discussion. I ask unanimous consent for its present consideration.

Mr. SMOOT. Let the bill be read first, Mr. President.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That all uniforms, accouterments, and equipment required for any officer of the military forces of the United States shall be furnished and issued to such officers by the Government at cost price, under regulations to be prescribed by the Secretary of War, and the same shall be similar in quality and price for all officers of the same rank.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. CHAMBERLAIN. There are one or two amendments that I desire to offer to the bill. They are indicated on the copy I send to the desk, and I ask that the Secretary may read them. The only purpose is to make it apply to the Navy as well as to the Army.

The PRESIDENT pro tempore. The amendments will be stated.

The SECRETARY. In line 4, after the word "military" and before the word "forces," insert the words "or naval," so as to

read "any officer of the military or naval forces of the United States."

The amendment was agreed to.

The SECRETARY. After the words "Secretary of War," in line 7, insert the words "and the Secretary of the Navy."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill requiring the Government to furnish uniforms to officers of the Army or Navy, and for other purposes."

WATERS OF THE COLUMBIA RIVER.

Mr. CHAMBERLAIN. Mr. President, I desire to ask unanimous consent to make a motion to reconsider the vote whereby, on September 11, 1917, at the first session of this Congress, the Senate indefinitely postponed the bill (S. 1484) ratifying the compact and agreement between the States of Oregon and Washington regarding concurrent jurisdiction over the waters of the Columbia River and its tributaries in connection with regulating, protecting, and preserving fish, and that the bill may be restored to its former place on the calendar.

I asked the other day for unanimous consent to have the bill reinstated to the calendar, but I am sure that my position was wrong. I now ask unanimous consent for permission to file a motion to reconsider the vote indefinitely postponing the bill.

Mr. SMOOT. I think the proper course for the Senator to pursue would be to ask unanimous consent that the vote by which the bill was indefinitely postponed be reconsidered. I think under the rule of the Senate that is the way to proceed.

Mr. CHAMBERLAIN. I thought, in view of the fact that there was some objection to it the other day, some one might want to discuss the proposition. If it will hasten the matter, I make the request as the Senator from Utah suggests, and I hope it will be granted.

Mr. LODGE. That would restore it to the calendar, and I see no reason why it should not be done.

Mr. SMOOT. That would restore it to the calendar.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon? The Chair hears none. The vote is reconsidered unanimously, and, upon the request of the Senator from Oregon, the bill goes to the calendar.

HOUSING OF SHIPYARD EMPLOYEES.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes.

Mr. RANDELL. I move that the Senate disagree to the amendments of the House and request a conference on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. RANDELL, Mr. MARTIN, and Mr. NELSON conferees on the part of the Senate.

RAILROAD CONTROL.

Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed by him to the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, which was ordered to lie on the table and be printed.

The PRESIDENT pro tempore. Morning business is closed.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of the unfinished business, Senate bill 3752, the railroad bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

Mr. KELLOGG obtained the floor.

Mr. JOHNSON of California. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	Gallinger	Henderson
Chamberlain	Curtis	Gerry	Hitchcock
Colt	Dillingham	Gore	Johnson, Cal.
Culberson	France	Hardwick	Johnson, S. Dak.

Jones, N. Mex.
Jones, Wash.
Kellogg
Kenyon
Kirby
Lodge
McCumber
McKellar
McLean
McNary
Martin
Myers

Nelson
New
Norris
Nugent
Overman
Page
Phelan
Pittman
Pomerene
Robinson
Saulsbury
Shafroth

Sheppard
Sherman
Simmons
Smith, Ariz.
Smith, Ga.
Smith, Md.
Smith, Mich.
Smith, S. C.
Smoot
Sterling
Stone
Sutherland

Swanson
Thomas
Thompson
Tillman
Trammell
Vardaman
Watson
Weeks
Williams
Wolcott

Mr. KIRBY. I desire to announce that the Senator from Florida [Mr. FLETCHER] is detained by illness.

Mr. GERRY. I wish to announce that the senior Senator from Kentucky [Mr. JAMES], the junior Senator from Kentucky [Mr. BECKHAM], and the Senator from Illinois [Mr. LEWIS] are detained on official business.

Mr. JONES of Washington. I desire to announce the necessary absence of the Senator from Wisconsin [Mr. LA FOLLETTE] on account of illness in his family.

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate on account of the state of his health.

Mr. SUTHERLAND. I desire to announce the absence of my colleague, the Senator from West Virginia [Mr. GORF] on account of illness.

Mr. McKELLAR. I desire to announce that my colleague [Mr. SHIELDS] is detained from the Chamber on business.

The PRESIDENT pro tempore. Sixty-two Senators have answered to their names. There is a quorum present.

Mr. KELLOGG. Mr. President, this bill involves the most far-reaching and momentous economic transition that has ever taken place in so short a time. What effect it will have upon our industrial and political structure no one, of course, can accurately tell, but judging from other nations and from the political experience in our own country, it can not be anticipated that it will meet with success. But the railroads have been taken over under the war power conferred upon the President and we are confronted with the necessity of making payment for the use of the property thus taken and rendering as effective as possible the operation under Government control. It may be said that as the roads have been taken over the advisability of so doing is no longer in issue. I think, however, as bearing upon the question of the continuance of the operation beyond the war, it is worth while for us to be fully informed as to the condition of the railroads, their accomplishment during the last year, and the necessity, if any existed, of taking them over to Government operation.

It is generally claimed that the railroads had broken down, were unable to handle the traffic of the country, and that it was necessary for the Government to take over the operation during the war.

I should like for a few moments to call the attention of the Senate to the actual condition of the railroads of this country and the reasons why they have not been able to handle all of the traffic, and what their accomplishments have actually been. I am not here to claim that our transportation system is perfect; that it can not be improved; or that the laws governing the railroads are all they should be. But when the public hopes, by the medium of Government operation, to cure all the evils resulting from transportation congestion, we are likely to be disappointed, and we should look the facts squarely and candidly in the face.

We have in this country, all in all, the best system of railroads in the world, the cheapest constructed, the lowest capitalization per mile—to be sure there are some exceptions to this statement, but I am speaking generally—the cheapest freight rates, and the best service, considering the varied conditions of climate, industry, and development, and the necessity for vast increase in transportation facilities to meet the rapid growth of the country.

Let us for a moment consider the reasons why the railroads, as is commonly said, have broken down and have been in the last few months unable to handle all traffic in the country expeditiously:

From 1907 to 1916 were years of depression in railroad business. Then came the tremendous stimulus, owing to the increase of our exports on account of the European war—an increase whereby our foreign commerce has increased from \$4,258,504,805 in 1914 to over \$8,953,335,185 in 1917. The increase in railroad traffic from 1915 to 1917 was nearly 50 per cent, or, stated in another form, was 135,164,000,000 ton-miles—that is, tons hauled 1 mile. According to the latest statistics available, this was equal to the entire railway transportation of the railroads of Canada, Germany, Great Britain, Russia, France, and Austria (excluding Hungary), which was substantially 137,928,000,000 ton-miles. In addition to this, the railroads have moved to cantonnments and mobilization points, points on the Mexican border, and Atlantic and Gulf ports 2,052,418 troops in

36,735 passenger cars and 10,640 freight cars, assembled in 3,603 special trains. The passenger traffic has increased about 23 per cent in October this year over last, the mail about 6 per cent, the parcel post about 14 per cent, and express about 20 per cent for the year ended June 30, 1917, over the year ended June 30, 1916.

In speaking of the accomplishments of the railroads Secretary Baker said:

I am happy, therefore, to join the Quartermaster General in pointing out the extraordinary service rendered by the transportation agencies of the country, and I concur also in his statement that "of those who are now serving the Nation in this time of stress there are none who are doing so more wholeheartedly, unselfishly, and efficiently than the railroad officials who are engaged in this patriotic work."

Again, commenting on troop movements, the Secretary said:

This strikingly illustrates the patriotic cooperation of American railroads with the Government and also the tremendous capacity of American railways.

It is not denied, however, that there has been tremendous congestion in certain sections of this country. This congestion is principally, if not entirely, in the district east of Chicago and north of the Ohio River and principally east of Pittsburgh, very largely on the lines of the Baltimore & Ohio, Pennsylvania, and other lines in their immediate territory. The reason is that in this great manufacturing and coal-producing country east of Chicago came the enormous increase in coal shipments—amounting, I believe, to about 50,000,000 tons this year over last year—iron and steel, and all manufactured products for use in the war. This congestion was further accentuated by the fact that the great body of shipping went through the ports between New York and Norfolk, and very largely through New York City, because the allied nations and the United States would not, and I have no doubt could not, send their vessels to some distant southern port, and by the further fact that there was an inadequate amount of shipping to take the traffic away when delivered at these ports. Furthermore, by the impressment of steamships engaged in the Atlantic coast traffic of the Southern Pacific Co., Ocean Steamship Co., and Mallory and Clyde Lines, the railroads have been called upon to transport 962,000 tons of freight in the last half of the calendar year which heretofore has been transported by water. The substantial closing up of the Panama Canal required the railroads to handle over 2,000,000 tons of freight between the Atlantic and Pacific which would otherwise have gone by water. To move this tonnage would require the monthly use of 46,200 freight cars and 619 locomotives.

There was undoubtedly a shortage of motive power and cars. The Interstate Commerce Commissioners not only testified but as a body reported (p. 20 of record) that from 1907 to 1916 the number of cars in the country exceeded the demand. Then came the increase of business in the latter part of 1916 and the tremendous increase in 1917, and cars and locomotives could not be purchased, principally for the reason that the Government compelled the locomotive manufacturers to divert engines for use in Russia and France and that steel could not be obtained for the construction of cars on account of the Government priority (p. 267 of record). Of course at that time this seemed to be necessary, and I have no doubt that the information the War Department then had warranted this action.

Another fact which has very much injured the service of the railroads is the loss of men through the selective draft and attractive offers by munition and Government plants. In some cases they have lost as high as 12½ per cent of their men, and the loss of efficiency is greater than this, because the best mechanics and the best men in the railway service have been taken.

One of the principal causes for the congestion is the Government priority orders. This appears by the testimony of the Interstate Commerce Commission, of the railroad executives, and the fact is well known to everybody in Government service. It is a most glaring example of abuse of governmental power, through separate branches of the service, in no way coordinated.

Senators will remember that on the 10th day of August, 1917, Congress passed a law to regulate commerce, providing as follows:

That during the continuance of the war in which the United States is now engaged the President is authorized, if he finds it necessary for the national defense and security, to direct that such traffic or such shipments of commodities as, in his judgment, may be essential to the national defense and security shall have preference or priority in transportation by any common carrier by railroad, water, or otherwise. He may give these directions at and for such times as he may determine, and may modify, change, suspend, or annul them, and for any such purpose he is hereby authorized to issue orders direct or through such person or persons as he may designate—

And so forth.

It was the understanding of Congress that after this time there would be but one power directing the preference and priority in transportation. As a matter of fact, instead of all of

the priorities going through Judge Lovett the War Department, the Navy Department, the Food Administration, and Fuel Administration were all issuing priority orders, not only through the heads of the departments, but commissary clerks and employees scattered all over the country were furnished with blue cards to place upon cars to denote a priority or preference shipment. But, beyond this, these employees gave the cards to manufacturers, and manufacturers making a Government preference of shipment not only used the cards for the Government but for themselves. I quote the statement of Commissioner Hall, on pages 54 and 55 of the record:

Senator KELLOGG. To what extent have the priority orders which have been issued by the various departments of the Government interfered with or congested transportation? I notice by the report of Mr. McChord, a member of the commission, or, rather, his separate report, that there are several Federal agencies authorized by law to issue orders or directions with respect to transportation, and that they are executing that power. Has that tended to congest traffic?

Commissioner HALL. I think so; yes, sir.

Senator KELLOGG. You mean that priority orders have been given by different departments of the Government which conflict or were unnecessary?

Commissioner HALL. I do not mean any priority orders issued by the transportation priority director, by Judge Lovett; I do not mean that. I mean that in the War Department there are at least five bureaus or boards—I think Gen. Baker said 12 a few days ago—each undertaking to direct the kind of munition or supply that it is interested in which shall receive preference movement. Then there is the Shipping Board seeking preference movement for what it is interested in; and there is the Navy; and those things frequently conflict. More than that, there is a system in vogue of placing in the hands of a manufacturer who has a contract for furnishing supplies so-called envelopes that can be used to obtain preference, and those have been sometimes quite carelessly used, probably under officers who are looking after particular plants, with the result that the volume of movement under preference direction has grown to be very great.

Now, I do not know it as a fact—if you will pardon hearsay, but it comes from a very good source—I understand that quite recently something like 75 per cent of what was moving on the Pennsylvania Railroad was moving under preference directions of some sort. Is that so, Mr. Patterson?

Mr. PATTERSON. Yes, sir; east of Pittsburgh.

Commissioner HALL. If you get 100 per cent preference, then it can all move right along; but where you get 85 per cent preference to be separated from the remaining 15 per cent it tends to produce congestion.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. KELLOGG. I yield.

Mr. LODGE. If it will not disturb the Senator, I understood him to say that the right to issue priority orders was exercised by the Fuel Administration, the Food Administration, and by the Shipping Board.

Mr. KELLOGG. Yes; and by the War Department and the Navy Department.

Mr. LODGE. I know about it as to the War and Navy Departments.

Mr. KELLOGG. That is what Commissioners Hall and McChord said.

Mr. LODGE. It is correct, then, according to the testimony before the committee, that the Food and Fuel Administrations and the Shipping Board were all equally entitled to issue priority orders?

Mr. KELLOGG. According to the testimony of Commissioners Hall and McChord they did do it, and there is other testimony to the same effect.

I send to the desk, and ask to have incorporated in my remarks at the end, as an appendix, the testimony of Mr. Kruttschnitt, from which I will read one sentence:

You can imagine the state of mind of a yardmaster at a terminal, say, like Pittsburgh, when he was confronted with the freight covered by all of these blue envelopes, and covered by other orders giving priority of transportation to different commodities; he would be a fit subject for an insane asylum; he would not know how to get around his work.

The PRESIDENT pro tempore. Without objection, the matter referred to will be printed in the RECORD without reading.

Mr. KELLOGG. Mr. Kruttschnitt, a member of the railway executive war board, testified that the principal cause of the congestion was the cross hauling of coal—because under the act of Congress the shipper had a right to designate not only where the freight should go, but the route—and the priority and preference orders given by the Government. He testified that when the flood of preference envelopes threatened to overwhelm the railroads they appealed to Judge Lovett, the priority commissioner, for relief, but without avail. Many of these priority orders were absolutely unnecessary, each department of the Government struggling to get its own material shipped ahead of some other department. The result was that thousands of freight cars were rushed to a point and tied up because materials were shipped in advance of necessity.

Mr. POMERENE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. KELLOGG. I do.

Mr. POMERENE. I simply want to add, if I may, to what the Senator has already said, that one of the witnesses—I think it was Mr. Kruttschnitt—suggested that these tags were often given to manufacturers, and the manufacturers would place these tags on private shipments as well as on Government shipments.

Mr. KELLOGG. Yes; that is true. I have among my papers a report from an agent of transportation—I have forgotten what he is called—submitting copies of these envelopes that were reprinted and used, and notice was given that by telephoning to certain departments they could get all the envelopes they wished. For instance, 700 cars of material for construction of Government buildings in Washington stood upon the tracks for weeks because they could not be unloaded; anchors were shipped under priority orders for ships not yet built, and 1,000 cars were tied up carrying shipyard material—I believe it was for Hog Island—

Mr. GORE. Thirteen hundred.

Mr. KELLOGG. Thirteen hundred cars, I understand; which could not be unloaded and used faster than about 15 cars a day. It shows that a transportation system run by Executive orders, through noncoordinated departments, is an absolute impossibility. Now, as a matter of fact, in spite of the Sherman law and nonpooling law and the laws authorizing the shipper to designate the route, and in spite of priority orders unwisely issued, railroads did accomplish a great deal during the first six months of the war.

Mr. GORE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Oklahoma?

Mr. KELLOGG. I yield.

Mr. GORE. I wish to ask the Senator, before passing from the subject of priority orders, if it is his intention to state the English system with regard to priority orders?

Mr. KELLOGG. No; it was not my intention. The whole history of the English operations is available, and I think the Senate is pretty familiar with the subject.

Mr. GORE. If the Senator will permit me, I think it ought to go in at this point.

Mr. KELLOGG. I have no objection to the Senator stating it.

Mr. GORE. The English method, Mr. President, is this: They have selected a committee on priority of shipments, made up of representatives of the navy and army and other departments and organizations, including the industries of the country. It requires a unanimous vote on the part of this priority committee to grant a preferential order for shipment of any commodity; but in case of a deadlock the minister of munitions stands over and above the priority committee, with the power to unlock the situation and grant mandatory orders.

Mr. KELLOGG. I thank the Senator for the information.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Nebraska?

Mr. KELLOGG. I yield.

Mr. NORRIS. I came in after the Senator had started, but the suggestion made by the Senator from Oklahoma reminds me that it might be well to inquire at this point whether the law did not place all this power in the hands of the President?

Mr. KELLOGG. Yes.

Mr. NORRIS. So that it would not be necessary to have a committee. The President had power at any time, had he not, under the law to change the system in any way that he saw fit, by order, or to put some one person in charge and give him absolute control of it all?

Mr. KELLOGG. The President undoubtedly had authority under the act of August 10, 1917, to create a single priority agent. Now, I apprehend that the way this system developed was through action taken under authority of laws providing preference and priority for Government shipments. Apparently there was already in existence when the law was passed this system of obtaining preferences and priorities, and instead of abolishing the system in vogue and placing the power in the hands of one man or one board it was allowed to continue, and the enterprise of each one of these departments in obtaining priority and preference orders for their shipments was the result of the tremendous overburdening and congestion of the railroads.

It appears, as requested by the Council of National Defense, that they organized an executive committee of railway heads, to represent all the roads and to constantly sit in Washington, the expense of which was paid by the railroads. That with practically no increase of equipment and with a decrease of men they succeeded, by coordination, in handling 20.3 per cent more freight traffic in the first six months of the war—April to Sep-

tember, 1917—than the corresponding six months of 1916, and 50 per cent over the monthly average of 1915. They greatly increased the car loading, car mileage per day, and train load—the resultant effect of which was that it increased the ton-miles handled per locomotive per month 16 per cent for the six months ending September 30, 1917, over the corresponding period of 1916.

Through the acquiescence of the public, and by the consent of the State commissions, 28,656,983 unnecessary passenger train miles were eliminated, resulting in the saving of 1,800,000 tons of coal per annum, a release of 570 locomotives, and 2,800 train and engine men for freight service.

This railway committee undoubtedly coordinated the facilities of various roads and enormously increased the amount of transportation. My own opinion is that it was unnecessary to take over the railroads for Government operation, and that transportation, in order to be most effective, must proceed in its usual and natural channels, without too much arbitrary interference. That all that was necessary for Congress to do was to authorize the President to appoint a director or agent of the Government, who should have authority to see that the railroads were operated as a unit, in order to facilitate, so far as possible, the transportation of those articles absolutely necessary to the life of the people and the prosecution of the war, and that if the transportation of any class of products or articles, such as luxuries, pianos, automobiles, and so forth, became inadvisable, this transportation could be stopped and preference given to necessities for the Army and the public. That this could have been done without material injury to any of the railroads, but if they were injured by any such action a tribunal might have been created to assess the damage to be paid by the Government. As a general proposition, private management is far more successful and efficient than management through Government agencies. The railroads were undoubtedly hampered by certain laws and restrictions which should have been abolished. They should have been supported by Government authority to operate as a unit, to route freight over lines least congested, and to transport the largest amount of materials necessary for the maintenance of the public and of the Army. Bearing in mind that this congestion was simply in the eastern and northeastern territory, I am constrained to believe that as great service could have been obtained through the Government's cooperation as by taking over the entire railroad system of the United States and operating it as a Government institution. By allowing the railroads to operate their own property we would have maintained the personal interest and preserved the enterprise that goes with great organizations of this kind. One of the most valuable features of a railroad, as in all other private enterprises, is the organization and the personal interest that each employee feels, where there is an opportunity for promotion, and the highest position is within his grasp. By doing this I believe the Government would have obviated a guarantee to the railroads of an income by way of compensation for the use of the properties thus taken over. But the President and his advisers thought otherwise, and I bow to that decision, and I am going to do, as is my duty, everything I can to strengthen and facilitate the Government operation and to insure justice to the people and the railroads and the vast army of security holders vitally interested in this great measure.

There are three principal provisions of this bill to which I wish to invite the attention of the Senate, and in doing so I shall try to state with impartiality the facts and arguments pro and con which should appeal to individual Senators.

This bill was reported, after four weeks of testimony, argument, and careful consideration by the committee. It is not perfect, but under the circumstances it reflects the best judgment of the administration and the committee. There are three controlling propositions which I desire to discuss. First, the compensation to be paid the railroads; second, the manner of fixing and regulating rates; and, third, the duration of Government operation.

COMPENSATION TO THE RAILROADS.

With the varied conditions surrounding the earning capacity, capitalization, and financial strength of the railroads, a most difficult proposition is presented in prescribing a general rule or basis for compensation. The Army appropriation act of August 29, 1916, provides as follows:

The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation or any part thereof, and to utilize the same to the exclusion as far as may be necessary of all other traffic thereon for the transfer or transportation of troops, war material, and equipment, or for such other purposes connected with emergency as may be needful or desirable.

I have cited this act in order that the attention of the Senate may be called to the fact that no compensation is there provided.

This act undoubtedly constitutes a valid exercise of the war power in the President, and the rules of law governing our action and the necessity of providing compensation for the use of properties during such Government operation are clearly defined by the Constitution and the decisions of the highest court of the land.

The act failing to provide the means and methods for determining compensation, the Constitution imposes an obligation to pay just compensation for the use. Unless such compensation is implied, the law would be unconstitutional. Congress has no power to provide what that compensation shall be. Now, remember this: We can not fix the compensation. Congress is powerless to do it. We can, however, prescribe a rule, the means, or the machinery by which a tribunal shall fix the compensation. As to each individual railway corporation or system of transportation owned and operated as one railroad, the question of what is reasonable compensation is a judicial one which may be determined first by an administrative officer or commission, with a right of appeal to the courts for final determination. It is, therefore, not only a legal necessity for Congress to provide the means for determining and paying a just compensation, but it is of the highest importance to the country that this should be speedily determined.

The property taken over represents a value of somewhere between fifteen and seventeen billions of dollars. It represents securities, stocks, and bonds in the hands of the public of substantially \$16,500,000,000. The exact amount is difficult to determine by reason of what is known as intercorporate holdings. In making these figures the Interstate Commerce Commission has eliminated stocks of one road held by another, and has only given the amount of securities in the hands of the public.

Mr. THOMPSON. Mr. President, will the Senator permit a question?

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Kansas?

Mr. KELLOGG. I yield.

Mr. THOMPSON. Does that estimate include the short-line railroads?

Mr. KELLOGG. I believe it includes all railroads.

Mr. THOMPSON. All the railroads of the country?

Mr. KELLOGG. All railroads. As thus determined, the railroads represent a stock and bond issue of \$16,710,000,000, as of June 30, 1916, and a book investment of \$17,380,000,000, as of December 31, 1917. These figures have been furnished by the statistician for the Interstate Commerce Commission. The interest and dividends upon these securities come due at various periods during each year and must be paid in order to maintain the stability of this vast investment.

The President and the Secretary of the Treasury, and everybody who appeared before the committee, realized, and many of them urged with great force, the necessity (at this time of great strain on our financial institutions) of maintaining the security of this railroad investment. It is not a question of the Government maintaining the securities of any industry. The Government owes no obligation to maintain securities. It is a question, however, of the Government taking the property and using it for Government purposes, and the obligation to pay for the use and the duty of maintaining the stability of securities are co-existent. These securities in various forms are in the hands of millions of our citizens. There is scarcely a bank, trust company, savings bank, or insurance company in this country which has not a large investment, either as owner or pledgee of railway securities. It is estimated that 32½ per cent of the assets of the Connecticut savings banks consist of railroad securities, and undoubtedly a very large percentage of all the savings banks and insurance companies are in the same position. In 1915 it was estimated that \$818,000,000 of railroad securities were held by mutual savings banks alone. A further decline in these securities (which ought to be the best investment in the country) would threaten a public disaster.

The committee was therefore faced with two propositions—either to create a tribunal to take up each railway separately and, upon a hearing, to determine the value of the use during Government operation, or to authorize the President to speedily agree with the railroads on some fair basis which would not involve long litigation, with a provision that if no agreement could be made with any railroad company the compensation should be determined by a tribunal to be appointed by the Interstate Commerce Commission, with a right of appeal to the Court of Claims.

You will readily see that if we had adopted the first proposition it would have been years before any tribunal could have thus determined the value of the use of each and every system of railroads and have arrived at a fair and reasonable rental value. The Government operation would have been ended long before

this could have been accomplished. In order to expedite this determination, the latter proposition was adopted by the committee, and the committee was unanimous in desiring some speedy determination of this question. It was, of course, impossible for the committee, as it is impossible for Congress, to take each road separately, hear testimony as to the value of its use, and fix a compensation. Nor could this be done legally.

The most we could do was to prescribe a plan with a maximum above which the President could not go.

Section 1 of the bill, in substance, authorizes the President to agree with the carriers and to guarantee to each an income, called the "standard return," not exceeding the average of the net operating income for the three years of 1915, 1916, and 1917, with an allowance of a percentum, to be fixed by the President, covering the cost of additions and betterments, less retirements and road extensions made during the six months between June 30 and December 31, 1917. (That is the three years ending June 30, and the President was authorized to allow a percentage upon the net betterments and additions made between June 30 last and December 31.) The Government to have all income above this guaranteed compensation and to maintain the properties in their present condition.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I yield.

Mr. CUMMINS. In order to discern clearly the point the Senator from Minnesota has just stated, that the Government is entitled to all the income above the amount named—that is, the guaranteed net operating income—did the Senator mean just that, or did he mean that the Government was entitled to all the operating income above?

Mr. KELLOGG. The net operating income, I should have said to be accurate. I thank the Senator. This basis was recommended by the President and his advisers, by the Secretary of the Treasury, and by the Interstate Commerce Commission. The President undoubtedly had the advice of the commission and other technical experts upon this question. The Interstate Commerce Commission has for years been dealing with the question of rates, gross and net income of railways, maintenance, betterments, and capitalization. No body of men in this country whose opinion could be taken is so well equipped to recommend an equitable basis for compensation as is the commission.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield?

Mr. KELLOGG. I yield.

Mr. CUMMINS. I was present at nearly every hearing of the committee on this subject, and I do not remember any recommendations of the Interstate Commerce Commission as such in behalf of the standard which was proposed by the President. One of the Interstate Commerce Commissioners had very much to do with the formation of the bill and undoubtedly recommended that standard, and I have no doubt that there are some other members of the commission who concurred with him, but I do not think that the commission has recommended any such proposition.

Mr. KELLOGG. Mr. President, I understand the Interstate Commerce Commission first made recommendations to Congress. During the session of the committee the chairman of the committee asked the Interstate Commerce Commission as a body to take the bill proposed by Mr. Anderson, one of the members, and to make criticisms and suggest any changes which they thought should be made. The commission did so as a body, and as I read their letter, which the Senate is entitled to read—I have not time to read it now—I take it to be a recommendation of this bill with the amendments they suggested, except as to one or two points upon which they declined to pass any opinion, one of them involving the question as to what body should regulate the rates. I have not time now to read that letter, and I shall ask to have the Senators themselves read it.

Mr. CUMMINS. I hope the letter will be read by Senators. I do not construe it in the way just stated by the Senator from Minnesota. I remember very distinctly that Mr. Anderson told the committee, it is my memory, that the question of compensation had not been considered by the commission as a commission, whatever might be the views of some of its individual members.

Mr. KELLOGG. That is true. When Mr. Anderson appeared before the committee and testified, he stated that he was not speaking for the commission. At that time the commission had not considered the question of compensation or the other provisions of the bill, but subsequently the chairman of the committee asked the commission to submit their recommendations

in respect of the bill and this was done. Their report can be submitted to the Senate and will, no doubt, be so submitted by the chairman.

Mr. WATSON. That was after Commissioner Anderson had testified.

Mr. KELLOGG. It was after Commissioner Anderson had testified.

Mr. ROBINSON. I wish the Senator would follow that statement a little further. The Senator, of course, has read the letter. The commission did recommend the so-called standard return as a fair basis of compensation.

Mr. KELLOGG. They did not make any suggestion about that section at all. Now, under the interstate commerce act, the duty is imposed upon the Interstate Commerce Commission to recommend appropriate legislation to Congress from time to time, and the commission had previous to that time recommended that the railroads of the country be either taken over under Government operation or that Congress should change the law with respect to coordinating the railroads.

Mr. SMITH of South Carolina. If the Senator will allow me, the question as to the attitude of the Interstate Commerce Commission came up on the very point he is now making. A member of the commission acting in another capacity than as commissioner was instrumental in the draft of the bill as it came to us as an administration bill. The committee was anxious to know what was the opinion of the commission as to the bill, knowing that they perhaps were the best posted as to the matter in hand and were more competent perhaps than any other body to advise in respect of the proposed legislation, and in sending my request to them I asked that they make the report as an official body in reference to the bill. I, like the Senator who is now addressing the Senate on this subject, was of the opinion that where they did not recommend any change it was to be inferred that they acquiesced in the proposition as now contained in the bill, because, had they objected or had they reason to think that it was not the proper basis, it was manifestly their duty, as an official body asked for an opinion, to have stated what their objection might be.

Mr. CUMMINS. I will deal with the communication of the Interstate Commerce Commission later. I only want to make my own position clear now. I do not believe the letter contains any recommendation either expressly or inferentially upon the matter of compensation, and I know that one member of the commission has told me since that it was not the purpose—not his purpose anyhow—to make a recommendation with regard to compensation.

Mr. KELLOGG. The commission considered the whole bill and specifically excepted the provisions they did not wish to recommend, and I think from the reading of their letter the Senate will conclude that the fair inference is that it is a recommendation of the whole bill with the amendments suggested. The Senate, however, is entitled to the opinion of the commission.

Mr. President, I think it may be useful in determining whether the basis adopted by the committee was a fair one to consider the various bases suggested by different men who appeared before the committee and made recommendations. The committee heard representatives of commercial organizations, certain experts, members of the Interstate Commerce Commission, the Secretary of the Treasury, and anyone who desired to be heard.

BASIS OF VALUE OF STOCK.

Many bases were suggested to the committee and discussed by it, but while all have some good points, none seemed, on the whole, to be so reasonable and practical as the one adopted.

I say "seemed," for it was the opinion of the majority of the committee.

A basis suggested and discussed to some extent was that the market value of the stocks and bonds of all the railways be taken, allowing a percentage of income on this value. The objections to this plan were principally that the stocks fluctuate in the market and frequently do not represent the real value of the property, to say nothing about the value of the use. Stocks often reflect in the market the amount of the dividends, so that if a property was skinned to pay dividends the market price would be high and the real value and earning capacity much less.

Then also stocks depend often upon speculative values, a bull or bear market, and many other considerations not here necessary to mention. To illustrate: It appeared by an investigation by the commission that in 1912 the value of all the railroad stocks, as near as the commission could estimate it, was 110.08 per cent of par; in 1915, 94.6 per cent; and in 1917, 79.03 per cent, although the roads' gross and net earnings

continued to increase and were greater in 1916 and 1917 than in 1915.

I should remark here, of course, that the commission simply made this computation by taking the market value of those stocks quoted on the New York exchange, and of course it is not absolutely accurate. No computation could be made that would be absolutely accurate, but this is a fair indication of the value of the stocks.

Mr. CUMMINS. But if the Senator will permit me, there is another fact to be taken into consideration there, namely, that these market quotations, taking the high point and the low point in a year, did not include all the railroads' stock of the country, only those which were dealt in upon the New York Stock Exchange.

Mr. KELLOGG. That is true. I so stated.

Mr. CUMMINS. There are a great many of the poorer stocks that are not dealt in upon the exchange at all.

Mr. ROBINSON. It is also true that as to particular roads, it appeared in the hearings that when their earning capacity was greater their stocks were comparatively the lowest.

Mr. KELLOGG. Yes; because those roads being conservatively managed would pay a small dividend and would invest a large amount of their surplus in property. The stocks of such a road would be comparatively low, but as to a road that put all of its income into dividends, Wall Street estimated the value of the stock according to the amount of dividends. My recollection is, and I am speaking now from memory, that the commission's statement was based upon the par value of the railroad stocks listed on the New York Stock Exchange, and this was made up on the basis of about 75 per cent of all railroad stocks. It is a fair illustration, however, that as the earnings increased the value of the stock declined.

Then, again, no basis for payment of interest upon the value of the stocks could be determined by Congress, because many roads pay no dividends and others pay large dividends. The Congress could not determine the rate of dividend which would be a fair rental value of the property.

Some roads pay a moderate dividend and use the balance of their surplus for improvement of their property, and there is no uniform basis for such investments. If this basis was adopted, it would have to be determined by some official or body of officials pursuant to inquiry into each case.

BASIS OF ACTUAL VALUE OF PROPERTY.

Another basis considered was that the actual value of each railroad property be taken, fixing the rate of income on this value. This determination was impossible. As the Senate well knows, in 1912 Congress passed an act authorizing and directing the Interstate Commerce Commission to determine the physical valuation of property of common carriers, involving the cost of reproduction and the present value of each railroad. The commission has been working upon this for four years, but reported to our committee that it would be about three years before it could be finished, and that no property had yet been valued, so the commission could give us no real information as to the present actual value of railroad properties.

BASIS OF ORIGINAL CASH INVESTMENT.

Another basis suggested was that the amount of cash which had been invested in the railroads under the charters of each company be determined, paying a reasonable rate of interest fixed by Congress upon this cash investment. I think everyone knows that this is an impossible task. Many railroads were built in the early days by contracting companies, which companies received a lump sum in stocks and bonds of the railroad for the construction, and no one can determine the actual cost of such property. Again, many of these properties paid no interest or dividend to investors for many years. Some of them were foreclosed, went through receiverships several times, capitalization was reduced and additional money invested, and there is no way of determining the cost of property except from the books of the companies.

If the taking over of the property by the Government had been permanent, the problem would be much simpler, for a tribunal could be established to find the present value of all the property of each company, and the Government would pay the sum thus determined. But the taking over is only temporary. It is simply a taking over and use of the property during the war and for a reasonable period thereafter, and the problem is to determine the value of the use, and determine it as speedily as possible, because it will not do to allow this determination to be suspended by years of litigation.

There were many other suggestions, but the foregoing will illustrate the difficulties confronting the committee.

PLAN FINALLY ADOPTED.

Let us come now to a consideration of the plan finally adopted. There is reason in the proposition that property devoted to a public service is worth simply what it will earn. It may be earning too much, in which case the power of public supervision may rightfully and justly be invoked to reduce its earnings or to provide such rates for its service as will accomplish this end. But, after all, it can only be worth what it will earn to its owners, because it can not be disconnected from such use, for a railroad can not be scrapped and its material sold. It can not voluntarily cease to perform its public functions, whether it pays or not, and therefore the only way to use the property is to make it earn a net income.

There is also force in the argument that as all the rates are now being fixed by public authority, the earnings of the properties are the best evidence of the value of their use. I may say, in passing, that the Interstate Commerce Commission, in a report made within a year or two, stated that as the power to fix rates had been in the commission for something like 10 years they thought it was a fair conclusion to say that the rates now in force as a whole were fair and reasonable, and would be so considered by the commission. I am not saying that some of them are not too high. That would be the inevitable result in a vast rate structure such as we have in this country. I do not say that this is a conclusive rule, because undoubtedly some properties are earning more than a just compensation, taking into consideration alone the cost or value of the investment, while others are earning less. Some railroads are fortunately situated as to location, cost of construction, density of population, and other advantages which give them a large earning capacity, while other competing lines, less fortunately situated, do not earn a reasonable income on the investment. This is inevitable under our system of individual ownership and competition between railway lines. It grows out of a system and is a part of those great competitive activities which have made the development of this country the marvel of the age.

Another factor which must be taken into consideration is that the taking over is only temporary. A guaranty by the Government of a permanent income on an investment would be reasonable at a very much lower rate, like a Government bond. In such a case the Government not only agrees to pay the interest on the bonds, but to pay the principal also. In this case the Government simply agrees to pay a certain income during the indefinite period of Government control. The guaranty is only for the period of the war and a short time thereafter, and, therefore, it should, as near as possible, represent the earning capacity of the roads over a reasonable term of years. The President is authorized to agree with the railroads upon a guaranty of a maximum of the average net earnings of the years 1915, 1916, and 1917, ending July 1. This was as follows:

[Railroads of class 1 include all the railroads having a gross earning capacity of over \$1,000,000.]	
Net railway operating income for class 1 roads:	
1915.....	\$683,104,833
1916.....	984,872,959
1917.....	1,020,800,000
Average.....	896,259,264

The commission took railroads of classes 2 and 3, which involved a good deal of work, and made an estimate of one year, applying the same percentage of increase for 1916 and 1917 for the other years. The commission reported to us that the maximum guaranty which the President was authorized to make to all of the railroads in the United States was \$935,000,000, which is about \$100,000,000 less than their best year, namely, 1917.

Extending the above basis for arriving at the average net railway operating income so as to include classes 2 and 3, the average \$896,259,264 becomes approximately \$935,000,000 for all carriers.

To this should be added the income on investments in the property made from June 30, to December 31, 1917, estimated at \$130,403,315, on which the President is authorized to allow interest. If 5 per cent is allowed, it would amount to about \$6,500,000; total, \$941,500,000.

Of course, out of this the railroads must pay their war excess-profits tax, which was estimated by the commission to be somewhere between fifty and ninety million dollars. Of course, this tax is borne by the stockholders. The railroads should be taxed exactly in the same manner as are all other corporations engaged in business in this country, and the war tax, of course, should be assessed against the stockholders, to be deducted from this net guaranty; and it is so provided in the bill. So the figures which I shall submit showing the per cent this guaranty represents upon the railway capital of the country and upon the book value of the railway assets of the country will include taxes before deduction. The gross figure of \$941,000,000 is taken and applied to all the railroads in the country.

Mr. LODGE. Does that include the fixed charges?

Mr. KELLOGG. That is the net after taking out all charges.

Mr. LODGE. After deducting all fixed charges?

Mr. KELLOGG. That is the net operating income of the railroads—the average net operating income for the last three years after paying fixed charges.

Mr. LODGE. And paying interest?

Mr. KELLOGG. No; not after paying interest, but only after paying operating expenses. Out of this \$941,000,000 the railroads must pay, first, their excess-profits tax; second, their interest; and third, whatever dividends they have averaged for the last three years. Then they must use whatever balance they have for the betterment or improvement of their property, and they can only pay the average dividends declared for the last three years.

Mr. GORE. What is the amount of the interest?

Mr. KELLOGG. The interest on their bonds is about \$450,000,000.

Mr. SHERMAN. Are the local taxes, which amount to something like one hundred and thirty-five or one hundred and forty million dollars a year, deducted?

Mr. KELLOGG. The local taxes are part of their operating expenses, which are first deducted, but the Federal excess-profits taxes, of course, are not deducted, being paid by the stockholders.

Mr. STONE. Mr. President, did I understand correctly the answer of the Senator from Minnesota [Mr. KELLOGG] to the interpolation of the Senator from Oklahoma [Mr. GORE] to be that out of the nine hundred and odd million dollars of earnings payments of the interest on obligations of these railroads must be met?

Mr. KELLOGG. Yes; my recollection is—and I will correct it if I find that I am not speaking accurately—that the interest charges of the railroads are about \$450,000,000, which comes out of this guaranty. The balance, after paying taxes, may be applied to dividends, betterments, and improvements, which I shall discuss later. The railroads annually have paid dividends from two hundred and fifty to three hundred and seventy-five million dollars. They have paid less in the last two or three years than they paid at an earlier period.

It is claimed by the railroads that the three years selected are not fair to them, because 1915 was an extremely poor year, and it is claimed by some members of the committee that they are more than fair, because 1916 and 1917 were very good years. It is true that in the year 1915 the earnings—with perhaps one exception, to wit, 1914—were the lowest since 1900, based on the net operating income to property investment or total capital obligations.

I am inclined to think, after consultation with the members of the Interstate Commerce Commission, especially with the expert statistician, that 1915 was the lowest year since the year 1900. I send to the desk, and ask to have incorporated in my remarks, a statement formulated by the Interstate Commerce Commission showing the relation of net operating income to property investment for the years 1900 to 1917. In 1915 it seems to have been 4.09 per cent; in 1914 it was 4.19 per cent; and the figures range all the way from that up to 6½ per cent in 1917. The percentage for 1917, however, is an estimate, because the reports of the railroads for the calendar year 1917 have not all been received.

I ask at this point that the table referred to may be placed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The table referred to is as follows:

RETURN ON PROPERTY INVESTMENT.

The annual report of Interstate Commerce Commission dated December 1, 1917 (pp. 36, 37), shows relation of operating income (not net operating income) to property investment as follows:

Years ended June 30—	Per cent.	Years ended June 30—	Per cent.
1900.....	4.52	1909.....	5.34
1901.....	4.69	1910.....	5.73
1902.....	5.02	1911.....	4.87
1903.....	5.19	1912.....	4.62
1904.....	4.83	1913.....	5.12
1905.....	5.10	1914.....	4.19
1906.....	5.58	1915.....	4.09
1907.....	5.61	1916.....	5.80
1908.....	4.78	1917 ¹	6.50

¹Lowest in period.

²Estimated.

Mr. KELLOGG. I also ask that there be incorporated in my remarks a memorandum showing the gross dividends paid by all the railroads of the country for the years 1912 to 1916, inclusive.

The PRESIDENT pro tempore. Without objection, the matter will be printed in the RECORD.

The matter referred to is as follows:

ITEM III.

Information called for: Table showing aggregate dividends paid by all railroads in each of the said years and average for the period, stating each separately.

Modification: Can not be given for 1917. Would suggest that the aggregate only for all class 1 roads be given for each year 1912 to 1916, ending June 30, and the detail by roads for one year. Dividends declared, not actual payments, have been used as the only measure of the effect in the year's income account.

NOTE.—See note under Item I.

Aggregate dividends declared—Class 1 roads.

Year ended—	Amount.
Dec. 31, 1916 ¹	\$306,070,530
June 30, 1916.....	281,936,371
June 30, 1915.....	259,809,520
June 30, 1914.....	376,098,785
June 30, 1913.....	322,300,409
June 30, 1912.....	339,964,855

¹See accompanying statement, which includes similar information, by roads, for the year ended Dec. 31, 1916.

Mr. KELLOGG. It appears that in 1912 in round figures the railroads paid \$339,000,000 in dividends; in 1914, which was a poor year, they paid \$376,000,000, but of course the earnings which paid the dividends in 1914 were mostly made the year before; that in 1915 dividend payments went down to \$259,000,000; in 1916 they amounted to \$281,000,000, and for the calendar year 1916, \$306,000,000. While the railroads were making more money in 1916 and 1917, they were manifestly putting more money into their property and paying less in dividends. To be sure, a great many of the railroads, standard lines, paid the same dividend year after year, like the New York Central, the Great Northern, the Northern Pacific, and the Pennsylvania. The latter paid 6 per cent, the Northern Pacific and Great Northern 7 per cent each, and the New York Central 5 per cent. Those were regular dividend-paying lines, but some roads did not pay dividends after the poor years of 1913, 1914, and 1915.

Mr. POMERENE. Mr. President, if I may be permitted a suggestion in that connection, in order that we may be able to give proper effect to any statement of net profits or of moneys that shall be passed to surplus, we must bear in mind that the purchasing power of the dollar or of that surplus to-day is only about 60 per cent of what it was a year or two ago. That was developed in the course of the hearings. There was some information given showing the relative cost of freight cars, of passenger cars, of locomotives, and it was demonstrated that the price of equipment of this kind is nearly twice what it was two years ago.

Mr. KELLOGG. That is correct. The \$941,000,000 of net operating revenue to be used for the payment of interest and dividends and to provide betterments and improvements, of course, does not mean what it did a few years ago. So far as interest upon securities is concerned, it means the same thing, because the loser is the man who collects the interest; but, so far as dividends are concerned, of course the stockholder does not get actually as much as he used to get, and so far as betterments and improvements are concerned, it takes twice as much money to buy the material to improve the railroad to-day as it took five years ago. So we must consider that as a very important factor in this question. I do not think we should guarantee a greater income on that account, because everyone must bear his loss because of the depreciation of currency, and the committee did not take that into consideration in authorizing the guaranty; but the consideration suggested by the Senator from Ohio, however, is a very important factor.

Inability to get ships for the transportation of our products, and the effect of the war, greatly depressed railroad earnings. This is particularly true in Southern States, where the cotton crop could not be marketed and the railroads suffered very greatly on that account.

Another thing must be also considered in connection with this subject. The guaranty which this bill authorizes the President to make to the railroads as a maximum is the average of the net earnings for those three years.

We are not guaranteeing to each of the railroads the income that this maximum provides; we are simply providing a maximum, as I shall show later, beyond which the President can not go. He can go below that as far as he pleases, or as far as the railroads will accept it; and if any one railroad is receiving too much (as some very fortunately situated lines undoubtedly are, as I shall show you), the President is not required by this bill to guarantee the maximum amount; in fact, Congress could not provide for any maximum or minimum amount that should

be guaranteed to the railroads; we could simply provide that he should not make an agreement going above that amount. The railroads may or may not accept it, as they see fit. This would be fair to the railroads if the capital invested in 1915, 1916, and 1917 was the same as the capital investment during the time of the Government operation. But there was invested by the railroads between 1914 and 1916, \$795,043,061. In other words, the capital which earned the income of 1916 was \$795,000,000 more than the capital which earned the income of 1915; but it is the amount in dollars which we take, and we do not increase it to make up the extra capital which was invested in the lines. It is a fact also that between June 30, 1914, and June 30, 1917, the railroads invested in their properties \$1,172,669,161. Considering the fact that 1915 was an extremely low year in net earnings and, further, that there had been an investment in the property of these large sums between 1914 and 1916, I am inclined to think that it is a fair offset to the very prosperous years of 1916 and 1917. A longer period than three years was suggested by some who appeared before the committee. There are objections to taking a long period, because, from year to year, there is an average investment in the railroads from \$300,000,000 to \$500,000,000, and unless the earnings of the earlier years were increased in proportion to the added capital, it would not be a fair basis for the value of the use during Government operation. The entire standard return, allowing nothing for betterments and improvements, is equal to 5.19 per cent on the property investment, as shown on the books of the railroads, amounting to \$17,380,000,000, and it is 5.63 per cent on the total capitalization of all the railroads—that is, stocks and bonds—amounting to \$16,710,650,327. As the average interest on the bonds of railroads is not quite as large as the 5.19 per cent or 5.63 per cent mentioned, if the interest was first deducted and all the balance applied on total stocks of railroads, it would be more than this. Assuming the value of the property to be either the investment value shown on the books or the face of the stocks and bonds, of course, this return would be small, because it would allow no surplus for investment in betterments and improvements. It is said, however, that the investment in property, as shown on the books of the railroads, is entirely unreliable, and, to a great extent, this is undoubtedly true. It is a fact, however, that for the last 10 years the Interstate Commerce Commission has regulated the accounts of railroads so as to accurately show the amount invested in betterments, improvements, extensions, and new railway properties, and during that time \$4,500,000,000, or a little over 25 per cent, of the entire book value of the railways, has been invested. It is a fact, more in early days than in late years, in the construction of railroads in the country, the book value, as shown by the accounts, was generally the face of the stock and bonds issued and that in many instances these stocks and bonds did not represent actual cash invested.

For instance, a construction company would be organized which would agree to build road A for so many bonds and so much stock; and everybody knows that in the early days usually the stock was a bonus for building the road. Much of the inflation introduced in railway accounts in this way has been eliminated through receiverships, foreclosures, reorganizations, and by additional money put into the properties. There are undoubtedly some railroads which are excessively overcapitalized, like the Chicago & Alton, Kansas City Southern, and other lines. No one denies that. There are many that are undercapitalized, and whether the most accurate investigation which can be made will show that the total value of railroad properties exceeds or is under total capitalization no one can tell. I might say that it is my own judgment that it will be found, if the railroads of this country are revalued, that their value is a figure not far from their present capitalization. As I say, there are many railroads—and I will mention a few of them—which are very much undercapitalized. There are those who advocate that railroads should be allowed 5 per cent or 6 per cent on the actual money invested, and that the Government should ascertain the exact or approximate investment. However, the public will never buy railroad stocks, subject to the fluctuations and hazards of such securities, when they realize more for their money by loaning it out on good security at an equal rate of income.

The railroad systems of this country, which were built before the country was settled and industries developed, would never have been built under such conditions. We must remember that European railroads were built after the country was fully settled and industry largely developed. With us the railroad was the pioneer, pushing its way into the wilderness before the country was settled and industries developed. I went to Minnesota 53 years ago by railway, steamship, stagecoach, and ox team. At that time there was not a mile of railroad west of the Missouri River. Yet in this short space of time, in the life of

nations, that country has been developed, peopled with millions of progressive, virile men and women, traversed by lines of railroad, and filled with great centers of industry. Who believes this could have been done if the only reward the investors received would be 5 per cent or 6 per cent on the money invested, if the railroads should be fortunate enough to earn it, and nothing, if they were not? I am, and have been for many years, earnestly in favor of the Federal Government establishing a uniform system to regulate the issue of railway stocks and bonds. It would prevent such abuses as in the Chicago & Alton case, and others, and render such securities a better investment. But no one is going back to examine the accounts of railroads to determine how much of the stocks and bonds is represented by actual cash.

One of the serious problems encountered in this bill is that this standard return is not divided equally between all railroads so as to be a uniform payment on investment or capitalization. The net earnings of the roads vary, some pay no dividends and the dividend-paying roads vary a great deal; and it has been said before the committee that this guaranty would give some of the roads a very large income while others would receive a small one. As I have said before, this is the inevitable result of our competitive system of separate corporations and ownerships. Some, like the Burlington, the Pennsylvania, and other roads, have short lines, advantageously located, cheaply constructed through densely populated communities, yielding heavy traffic, while others are less fortunately situated, and rates which would yield one an exceedingly small income would pay the other a large one.

But, as I said before, we must not forget that this authorization to the President is merely of a maximum. He is not obliged to allow, and I suppose he will not allow, a railroad a guaranty which will give it an excessive income.

But if we are to concede that the earning capacity is not a reasonable basis for the value of the use of the properties, I know of no way to arrive at an accurate rental value without years of investigation and litigation. It is said that the standard return, after paying interest on the bonds of all the railroads in the country and after deducting an estimated \$70,000,000 excess-profits tax, would pay about 7.15 per cent on the net capital stock; I mean net capital stock outstanding in the hands of the public. Before deduction of this excess-profits tax it would amount to about 8.26 per cent. But this, of course, would allow nothing for betterments and improvements, which represents one of the most important questions in railroad management. Every year the railroads in this country must spend millions of dollars in betterments and improvements in order to properly serve the public. Many of these betterments and improvements are such that they will not pay a return on the investment, such as new stations, elevation of tracks, safety appliances, elevated or depressed crossings, and very many other improvements. Take the Pennsylvania Railroad as an illustration. It appeared in the hearing that it has in the last 10 years invested about \$350,000,000 out of surplus in betterments and improvements and about \$150,000,000 out of new capital. Of these improvements the Hudson River tunnel and the New York Station, as well as the track elevations which that company has made to a very great extent, have undoubtedly cost more than \$200,000,000; and yet these improvements would yield little, if any, revenue.

Now, that is true all over this country. The public is constantly demanding and is entitled to better stations, elevated tracks in cities, and so forth; yet those stations and those tracks do not yield any revenue at all to the company, and they should be paid for out of a reasonable surplus over and above a fair income to the stockholders.

Mr. SHERMAN. Mr. President, I assume that it will not break in on the course of the Senator's remarks if I make a suggestion at this point.

Mr. KELLOGG. Not at all.

Mr. SHERMAN. The Union Station at St. Louis is not permitted by the proprietary lines to pay anything more than maintenance. Dividends can not be paid on the vast expenditures in connection with that station. That has been decided, as no doubt the Senator is aware, in adjudicated cases, and the practice is followed very scrupulously by the proprietary lines.

Mr. KELLOGG. Why, Mr. President, in Chicago to-day they are preparing to erect a station, which is badly needed, at a cost of millions of dollars. It will not add a dollar of revenue to the railroads' earnings, and if we are going to maintain the great railroad systems of this country properly to serve the public they must be allowed something more than dividends upon their stock. One of the weaknesses of the English system has been that the English railroads have to a much greater extent than in this country paid out their entire income to

their stockholders. I do not say they have paid it all out, but they have paid out a very much greater per cent, and they have capitalized improvements and betterments until the English railways to-day are capitalized away beyond what is reasonable, and the stocks of English railways in the last 10 years have reflected in their downward course that bad practice of capitalizing improvements and property investments which will not earn any interest upon the cost.

Mr. WATSON. Mr. President, if it will not interrupt the Senator—

Mr. KELLOGG. Not at all.

Mr. WATSON. My recollection is that the English railroads are capitalized at \$275,000 a mile and the American railroads at a shade under \$70,000 per mile.

Mr. KELLOGG. I think the American railroads are capitalized at about \$62,000 per mile.

Mr. WATSON. Yes.

Mr. KELLOGG. But I am not sure of those figures. I have, however, examined the railroad statistics of the world very carefully, and, generally speaking, our railroads are capitalized at less per mile than most of the railroads of the world.

Mr. SHERMAN. Mr. President, before the Senator leaves that item I should like to make this further suggestion: Referring to the cost of \$274,000 per mile in England, text-writers and reports from Parliament say that the original cost was largely caused by getting authority from Parliament to build the roads. I should like to add that comparison and put it alongside the railroad conditions in our own country, showing that it is not as bad as it might appear to be.

Mr. ROBINSON. Mr. President—

Mr. KELLOGG. I yield to the Senator from Arkansas.

Mr. ROBINSON. The further statement ought to be made in that connection that most of the English roads, or practically all of them, are double-track or multiple-track, so that the comparison does not mean all that it would seem to mean upon the simple statement.

Mr. KELLOGG. No; it does not; but making an actual comparison per mile of track, of course our railroads cost very much less.

Mr. ROBINSON. Yes.

Mr. KELLOGG. These improvements and betterments which do not yield revenue can not or ought not to be capitalized, and a railroad must retain a surplus amount of income over and above a reasonable dividend to make such improvements. It is my opinion that it is much better railway economics that some surplus be allowed over and above reasonable dividends to make improvements and betterments, and not to allow those improvements to be capitalized.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I do.

Mr. CUMMINS. Will the Senator from Minnesota state exactly what he means by "capitalizing"?

Mr. KELLOGG. I think that if Congress would take the whole railway situation of the country, determine that the capitalization now is fair, or determine what is fair, and provide a system for controlling future capitalization, it should not permit those improvements made out of surplus and beyond reasonable dividends to be capitalized or used as the basis for increasing rates. That is what I mean, exactly.

Mr. CUMMINS. In connection with the point just stated it must be borne in mind that in Great Britain they permit stock to be issued for these betterments and improvements. In this country some roads issue stock for betterments and improvements made out of the earnings—some do not—but they all insist that the public shall pay rates that will return interest upon these added values. So the result is capitalization, no matter whether capital stock be issued for the values or not. So far as the public is concerned it is asked to pay for the added value, and I am very glad to hear the Senator from Minnesota say that he thinks the money that is contributed toward capital by those to whom service is rendered and out of which betterments and extensions are made should not be the basis for additional returns.

Mr. KELLOGG. I thank the Senator from Iowa. Of course we can not stop in this bill to work out any elaborate scheme of control of capitalization and rate regulation, and we have not attempted it. The bill does contain a clause, however, which I may ask the indulgence of the Senate at some later time to discuss briefly, that betterments and improvements made out of surplus during the continuance of the war or Government control shall not be used to increase the guaranteed rate of income. That is a question, however, I shall wish to discuss separately.

It is sufficient to say here that under this bill any part of the guaranteed income which the President may give to any railroad, over and above the rate of dividends invested in the property, can not be used during the Government control to increase the income of the railroad thus guaranteed.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I do.

Mr. CUMMINS. I shall not interrupt the Senator much further, but I think it would lead to a better understanding of the matter if I would point out that the part of the bill to which he refers, and which meets with my entire concurrence, is imperfect in that it saves the public from the additional imposition during the period of Federal control, but when the roads pass back to their owners then they are permitted to use these very betterments and extensions made out of the surplus as a basis for the increase of rates, and that is my objection to it.

Mr. ROBINSON. It may or it may not be. That is yet to be determined by Congress. That is for future determination.

Mr. CUMMINS. I suppose Congress will be of the same mind then that it is now, and that it will allow the railroads to have the surplus.

Mr. KELLOGG. It is sufficient to say we have tried to make this bill a bill to regulate the railroads during the period of Government control, leaving Congress to settle those important questions hereafter, and that is the way this provision was left. If Congress desires now and in this bill to determine a permanent policy I have no objection, but I wish to suggest that we had better keep out of the bill as much as possible our various theories of railroad operation and control, because I am quite aware that most of us believe that we can do it a good deal better than it has been done, or better than the railroad men themselves can do it.

Mr. President, there has been submitted a minority report by the senior Senator from Iowa [Mr. CUMMINS], and there appears in it a statement of how much this guaranteed return will give to certain railroads upon their stock. This is an important question which the Senate should fully understand. Those figures are made up in this way: The guaranteed return, assuming the President gives each road the maximum, and you then take from that road the interest on its bonds and apply all the balance on stock as a dividend—which no company has done in the past—would show in some cases a very large income. As to all the railroads in the United States it would show, as I said before, about 7.15 per cent after deduction of excess-profits tax, but many roads pay no dividend, and all of them apply a large sum, greater or less in each case, for betterments and improvements of their property.

I wish to call the attention of the Senate for a few moments to a statement in the minority report of the senior Senator from Iowa, which graphically illustrates how dangerous it is to rely on a statement, though accurate, made up from books without knowing all the circumstances surrounding it. While I shall not discuss each one of these railroads, I would like to call the attention of the Senate to a statement on page 9 of that report, which I beg the indulgence of the Senate to read. Reading from the minority report:

I have referred to the larger systems, but, to emphasize both the excessiveness of the standard and the disparity it introduces, it may be well to suggest that the following will have for their stockholders—

Now, note that it is made up by taking all the net earnings and applying them on the stock after paying interest on the bonds—

	Per cent.
Bessemer & Lake Erie Railroad Co.	647.22
The Chicago & Erie Railroad Co.	70.45
New York, Philadelphia & Norfolk Railroad Co.	35.74
The Cumberland Valley Railroad Co.	24.01
The Lehigh & Hudson River Railway Co.	27.98
Charleston & Western Carolina Railway Co.	21.67
Duluth, Missabe & Northern Railway Co.	114.12
Duluth & Iron Range Railroad Co.	38.27
Panhandle & Santa Fe Railroad Co.	64.37
St. Louis, Brownsville & Mexico Railway Co.	52.71
Colorado & Wyoming Railway Co.	162.64

The report continues:

These are astounding facts which the majority of the committee seems to have either overlooked or ignored. It can not be possible that Congress will tax the people of the country, either through rates for transportation or through other impositions, to pay these returns upon capital stock, the most of which was issued in defiance of both law and morals.

I am sure the senior Senator from Iowa did not wish to charge the committee with being careless or callous to the wishes of the people of this country or to their interests. I wish to say that the members of the committee were familiar with these facts.

Now, Mr. President, I wish to read a letter, which I shall ask to have incorporated in my remarks without reading the whole

of it, calling attention to the actual capitalization and the real facts as to some of these roads. The letter is from M. O. Lorenz, statistician for the Interstate Commerce Commission, to whom I submitted the minority report. It is dated February 11, 1918. I will only read a part of it and ask that all of it be inserted in the Record:

In reference to certain roads showing a high return on capital stock, the following data from reports to the Interstate Commerce Commission are submitted.

The Bessemer & Lake Erie is said to earn 647.22 per cent. Here is what the statistician says:

This road owns but 8.81 miles of road, but it operates 205 miles. It operates the property of its two subsidiaries. The property of the three roads is reported as follows for the year ending June 30, 1916:

Bessemer & Lake Erie	\$17,583,494
Pittsburgh, Bessemer & Lake Erie	27,329,801
Meadville, C. L. & L.	445,761

Total 45,359,056

The \$4,745,332 proposed standard return for these three roads combined is a little more than 10 per cent of the above total property. It is obvious that the \$500,000 of capital stock gives no indication of the value of the property.

The report this year shows the total bond and stock obligations of the subcompanies which this company operates under a lease to be about \$38,000,000 and a book value of \$51,000,000; and the Interstate Commerce Commission report for 1917 shows that they earned 9.45 per cent upon the property investment as it appears upon the books.

Mr. POMERENE. Has the Senator any reason to believe that the book valuation in that particular instance is an overstatement of the valuation?

Mr. KELLOGG. No; I have no reason to believe it, because the whole question of the rates on iron ore from Lake Erie ports to Pittsburgh was considered by the commission in three or four cases within the last two years, and the rates under which these earnings were made were fixed by the commission with a full knowledge of the capitalization and value of the property of this particular road and the other competing roads running from Lake Erie to Pittsburgh, where this road runs. This road does have an enormous earning capacity, and I am not saying that its earnings are not too large. I am inclined to think that they are very large, and I am inclined to think that the President will not make a guarantee equal to the amount of those earnings. He is not obliged to do that under this proposed law.

Mr. SMITH of South Carolina. What was the total outstanding stock of the Bessemer & Lake Erie?

Mr. KELLOGG. Twelve million four hundred and ninety-eight thousand eight hundred and fifty dollars (\$12,498,850) in stock and \$25,630,000 in bonds; but all those companies are in a holding company, and for some reason or other the men who control it thought it was only necessary to have a nominal stock of \$500,000. That is the real fact, but I do not say it is not earning too much.

Now, the Chicago & Erie—
is a subsidiary of the Erie Railroad—

Quoting from letter—

With only \$100,000 capital stock it reports a property investment for the 250 miles of road which it owns of \$29,954,145 for June 30, 1916. Its proposed standard return of \$228,186 is less than 1 per cent of this investment. This road owes the Erie on open account of nearly \$10,000,000, and on this debt it pays no interest.

I will omit the New York, Philadelphia & Norfolk, the Cumberland Valley Railroad, and the Lehigh & Hudson River Railway Co., all of which are explained in the same manner. I will not tax the patience of the Senate to read them.

Mr. POINDEXTER. What were their earnings?

Mr. KELLOGG. The New York, Philadelphia & Norfolk earned 9 per cent on its investment, the Cumberland Valley Railroad earned 12 per cent, and the Lehigh & Hudson River Railroad earned 8.4 per cent. The Charleston & Western Carolina earned 5.8 per cent on its book value.

Mr. POMERENE. Before the Senator goes to that, may I ask him this question: Does the letter from which the Senator is reading cover all the railroads referred to in the minority report?

Mr. KELLOGG. No; it covers all of those classed as exorbitant in their earnings. On page 9 there is another list of railroads. I will mention a few of them when I finish. I am not going through the whole list, because the task is beyond my time and strength.

Take the Duluth, Missabe & Northern and the Duluth & Iron Range. I have been familiar with those roads since the first preliminary line was run through the wilderness. The Duluth, Missabe & Northern is a road which is said to earn 114.12 per

cent on its capital. This is what the statistician of the Interstate Commerce Commission says:

The Duluth, Missabe & Northern shows a property investment on June 30, 1916, of \$36,048,455. The proposed standard return is \$5,377,214.

Dependent on iron ore traffic.

I wish to go further with that. Three years ago the Interstate Commerce Commission entered into an inquiry as to all iron-ore rates in Minnesota. The Senate probably knows that the greatest iron belt developed in the world lies from 60 to 100 miles north of Duluth and Two Harbors. The density of traffic on those roads is probably beyond anything ever known in this country. I have seen ore trains follow one another every five minutes upon those lines of railroad.

After an elaborate investigation lasting for more than a year the commission found the Duluth, Missabe & Northern to have a capital stock of \$4,112,500 and bonds in the amount of \$16,298,000, making a total of \$20,410,500, and at the same time found the actual value of its property to be \$28,464,955, at least \$8,000,000 more than its total bond and stock liability, and I think anyone who will read the report of the commission will learn that the finding was exceedingly conservative.

Again, as to the Duluth & Iron Range Railroad, which is said to earn 38.27 per cent, it showed a property investment, on June 30, 1916, of \$27,354,603. The proposed standard return is \$2,398,945.

In this case the commission found that the Duluth & Iron Range had a capital stock of \$3,000,000 and bonds in the amount of \$12,651,000, making a total of \$15,651,000. The commission found that the actual value of the property was \$22,130,635, about \$7,000,000 more than its total stock and bond liability.

Mr. SMITH of Michigan. When the Senator says the commission found the values, he refers to the physical valuation?

Mr. KELLOGG. Yes. It appears, as I understand it, that the State of Minnesota made a physical valuation of all its railroads, under the charge of a man whom the State authorities employed, which took several years. This physical valuation was in evidence before the commission and there was a vast amount of other testimony, and the commission found that for the purposes of this case the physical value of the roads was as stated. It is over \$8,000,000 in one case and over \$7,000,000 in the other more than the total stocks and bonds of the road.

Mr. SMITH of Michigan. One more question, if the Senator will permit me. Was that examination for the purpose of fixing a basis of taxation?

Mr. KELLOGG. A basis of rates for carrying iron ore.

Mr. SMITH of Michigan. Which were to be prescribed by the State?

Mr. KELLOGG. To be prescribed by the Interstate Commerce Commission, and the Interstate Commerce Commission fixed the rates. I do not say that the Duluth, Missabe & Northern, the Bessemer & Lake Erie, the Chicago & Erie, and the roads named in this list are not earning too much. I am not defending their earnings. They are so situated in relation to an enormous single kind of traffic that almost any rate which would yield an income over operating expenses would earn a big dividend on their stock, because the stock in nearly every case is merely nominal. But the answer to all that is this: It was impossible for the committee, and it is impossible for Congress, if it had the legal power to do it, to investigate each case and fix a guaranteed rental value of the property. It can not be done legally, nor is it within the compass of the time of Congress. So the committee was obliged to fix a maximum, beyond which the President should not go in making a guaranty. It was wise to give somebody the authority to make an agreement with all the great railroad systems in this country, because to appoint a commission or a court to try each case separately would take years, as everybody knows. We are in a great conflict. We must maintain the integrity of the railroads and insure earnings which will pay interest upon their vast securities, but we must at the same time see that the people of this country are not overtaxed and that the roads are not overpaid. So the power was vested in the President to make an agreement, simply providing a maximum. It may be said that it would be wiser to confer that power upon some board to inquire into each case. Some one must be trusted to determine the facts and make an agreement with the railroads, or litigation will result which will last for years, and it therefore seemed to the committee that it was wise to confer this power upon the President.

Now, then, if any of these lines of roads by reason of their fortunate situation are earning too much money on the rates prescribed by the commission, the President is not obliged to guarantee them this maximum, and I assume that he will not do it. They do not need a guaranty, but many of them have

competitors not earning an excessive income. Take the Pennsylvania Road: In 1916 it paid 6 per cent and earned 5 per cent more. In 1915 it paid 6 per cent and only earned six-tenths of 1 per cent more.

Take the New York Central: It pays 5 per cent on its stock. Some years it earns 5 per cent more, which it invests in property; and it is compelled to invest a large sum in its property from year to year—in nonrevenue-paying improvements to meet the demands of this great and growing country. If the President finds that these amounts are excessive, I assume he will not make the maximum guaranty.

Now, take the St. Louis, Brownsville & Mexico. I never heard of it until I saw it in the minority report. The statistician of the Interstate Commerce Commission reports as follows:

This road is reported as in hands of receiver in 1916. The high return on capital stock is explained by the fact that the capital stock was reported at \$500,000, while the property investment appears as more than \$15,000,000.

I ask that the letter entire may appear in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, February 11, 1918.

HON. FRANK B. KELLOGG,
Senate Office Building.

MY DEAR SENATOR KELLOGG: In reference to certain roads showing a high return on capital stock the following data from reports to the Interstate Commerce Commission are submitted:

BESSEMER & LAKE ERIE.

This road owns but 8.81 miles of road, but it operates 205 miles. It operates the property of its two subsidiaries. The property of the three roads is reported as follows for the year ending June 30, 1916:

Bessemer & Lake Erie	\$17,583,494
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Total	45,359,056

The \$4,745,332 proposed standard return for these three roads combined is a little more than 10 per cent of the above total property. It is obvious that the \$500,000 of capital stock gives no indication of the value of the property.

CHICAGO & ERIE.

This is a subsidiary of the Erie Railroad. With only \$100,000 capital stock, it reports a property investment for the 250 miles of road which it owns of \$29,954,145 for June 30, 1916. Its proposed standard return of \$228,186 is less than 1 per cent of this investment. This road owes the Erie on open account nearly \$10,000,000, and on this debt it pays no interest.

NEW YORK, PHILADELPHIA & NORFOLK.

This road is controlled by the Pennsylvania Railroad, but its accounts are distinct. It owns all the road which it operates. Its property investment is nearly \$11,000,000, on which the proposed standard return is a little over 9 per cent.

CUMBERLAND VALLEY RAILROAD CO.

This is also controlled by the Pennsylvania Railroad. With its two subsidiaries which it leases, a combined property investment for June 30, 1916, was reported amounting to \$10,308,715. The proposed standard return is about 12 per cent of this amount.

THE LEHIGH & HUDSON RIVER RAILWAY CO.

This is a subsidiary of various coal roads. It reports a property investment of \$6,247,586 for the year June 30, 1916. The proposed standard return is \$525,815, or 8.4 per cent.

CHARLESTON & WESTERN CAROLINA.

This is a subsidiary of the Atlantic Coast Line. On June 30, 1916, it reported an investment in road and equipment of \$8,275,090. The proposed standard return of \$478,916 is 5.8 per cent of this amount.

DULUTH, MISSABE & NORTHERN.

Shows a property investment on June 30, 1916, of \$36,048,455. The proposed standard return is \$5,377,214. Dependent on iron-ore traffic.

DULUTH & IRON RANGE.

Shows a property investment on June 30, 1916, of \$27,354,603. The proposed standard return is \$2,398,945. Dependent on iron-ore traffic.

PANHANDLE & SANTA FE RAILWAY CO.

Controlled by Atchison, Topeka & Santa Fe. It operates most of its road under lease. The following is the property statement of the Panhandle & Santa Fe and its subsidiaries as reported for June 30, 1916:

Panhandle & Santa Fe	\$5,039,771
Pecos & Northern Texas	14,725,881
Pecos River	1,399,588
Total	21,165,240

The proposed standard return is \$1,341,385, or 6.3 per cent.

ST. LOUIS, BROWNSVILLE & MEXICO.

This road is reported as in hands of receiver in 1916. The high return on capital stock is explained by the fact that the capital stock was reported at \$500,000, while the property investment appears as more than \$15,000,000.

COLORADO & WYOMING.

This is an independent operating road. With only \$100,000 capital stock, it claims a property investment of \$4,705,021 on December 31, 1916. The standard return of \$333,053 yields a little over 7 per cent on this investment.

The preceding, while independent of other roads, was incorporated in the interest of the Colorado Fuel & Iron Co., and the bonded debt is probably not in the hands of the public.

The high ratio of net income to capital stock shown for the preceding roads is correct according to the reports, but where the capital stock is nominal in relation to the total property operated or where the property is closely associated with a parent or controlling company, such a ratio is not indicative of the degree of the prosperity of the road.

Yours, respectfully,

M. O. LORENZ, Statistician.

Mr. THOMAS. I should like to know if the letter gives any information regarding the last of the roads on the list—the Colorado & Wyoming Railway Co.—which, according to the minority report, would receive under the arrangement of this bill 162 per cent. My inquiry is as to whether or not this letter contains any information with regard to that road.

Mr. KELLOGG. I shall read what the statistician says in regard to the Colorado & Wyoming road. I know nothing about it whatever beyond the information contained in this statement. It is an independent operating road, and it belongs to the Colorado Fuel & Iron Co., so Senator THOMAS says.

This is an independent operating road. With only \$100,000 capital stock, it claims a property investment of \$4,705,021 on December 31, 1916. The standard return of \$333,053 yields a little over 7 per cent on this investment. The preceding, while independent of other roads, was incorporated in the interest of the Colorado Fuel & Iron Co., and the bonded debt is probably not in the hands of the public.

I have no knowledge of the road whatever, but, as I said before, if the earnings are too great, the President will not make the guaranty. We were obliged to adopt some plan to permit an agreement. In doing so it was thought wise to make a maximum above which Congress would not authorize the President to go. On the other hand, as to roads very unfortunately situated, there is an exception made, that the President may make a greater guaranty than the standard return. So with this maximum, and what we might call the power of declaring a minimum guaranty which we give the President, it is hoped that he may be able to work out, with his experts, an agreement with the great body of the railroads of the country, avoid litigation, maintain the integrity of their securities during the war, and maintain the railroads, so that when they are turned back to their owners they will be in as good condition as at the present time. There are many other roads named here, though I have not the time to consider them. The Burlington seems to be a conspicuous example, and it was mentioned many times before the committee. The Chicago, Burlington & Quincy is undoubtedly an advantageously situated road, running through a very rich country in the Central West and the great Mississippi Valley. Its capitalization is admittedly low. Its average earnings for the three years 1915, 1916, and 1917, on average book value or investment of \$484,507,951, was 7.02 per cent. To be sure, I have no doubt, if you deduct interest on its bonded debt and apply all the balance of the Burlington income to a dividend on this \$115,000,000 of stock, it will show undoubtedly the figures given by the senior Senator from Iowa [Mr. CUMMINS]. I have no reason to question those figures; I have not examined them; but I presume they are correct. The Burlington Road, however, pays 8 per cent, and has done so for many years. The balance is used and invested in its property, and I think wisely so, because it is one of the best systems of railroad in the country. The answer, however, to the proposition is that right alongside of it are other lines of road, running through the same territory, which compete with it under the same rates, and the earnings and guaranteed returns of those roads are not excessive.

Mr. SHERMAN. There is the Rock Island, for instance.

Mr. KELLOGG. Yes; there is the Rock Island. I presume the Rock Island has been badly managed and is not entitled to any sympathy. I do not deny that there are many roads in the country like the Rock Island and the Alton that have been badly managed. That is true in every line of business. I hope Congress will pass a law which I have advocated for many years and have asked the Interstate Commerce Commission to recommend to Congress, regulating the issue of stocks and bonds of railroads in one central authority of the Federal Government. Such action would make railroad securities a better investment for the public. It would also be better for the railroads. We can not, however, stop here to determine what in each case is a fair return to guarantee the railroads. I have the figures for all of the roads, and many of them are published in the hearings before the committee.

I know Senators will give this very important question most careful consideration. If the plan provided in the bill is not fair, of course the Senate will not adopt it. I wish to submit the facts as I understand them.

Another phase of this guaranty question is—and it should not be overlooked—that this is not a permanent taking whereby the Government guarantees a perpetual income on the securi-

ties of the railroad. What would be reasonable under such circumstances would bear little relation to what would be reasonable as a temporary taking. The Government is taking property out of the hands of the railroads during the war, and the railroads are taking the chances of traffic being diverted to water lines or from one railroad to another, of the personnel of their organizations being changed, and of their whole system of business being revolutionized. For any of the incidental damages that may accrue the Government is not liable.

It was stated by Mr. Anderson before the committee that the President might, in controlling the railroads, divert the traffic from one line to another; that he might establish water lines in competition, and thus injure some of the railroads; and that there ought to be compensation provided in that event. For that injury, however, we can not provide compensation. We pay the railroads a guaranteed income during the period of Government operation, and it must and will cover all injury, direct and incidental. If, when the roads go back, any of them have been thus injured, that is one of the risks of Government operation which they must assume.

My own judgment is that it is not a serious risk. My opinion is that if the roads had been left in the hands of their owners, with authority vested in the President to appoint a director who should regulate their operation during the war, with power to divert traffic to lines least congested and to coordinate all their facilities and equipment the injury any road would suffer would be small and would occur in only a few instances; we would thereby have avoided consideration of this very complicated question of guaranty. As I have previously said, however, the President and his advisers thought otherwise, and I bow to that decision. It is our duty to determine as best we can a fair and reasonable basis of guaranty.

The railroads have no claim against the Government for anything beyond the guaranteed earnings, if they accept this, or, failing to reach an agreement, what the court should finally determine is a fair and just rental charge.

I am taking very much more time than I should, and more than I had intended to take, but if the Senate will bear with me I should like to discuss briefly two more questions.

First, as to the rate-making power. This bill proposes to vest the ultimate decision as to the reasonableness of rates, both relatively and otherwise, in the Interstate Commerce Commission, a body provided by law which has long been in existence and charged with all railroad-rate regulation in interstate commerce matters.

There is no subject more vital to the industrial interests of this country than that of transportation. The time was when each city and village was supplied with nearly all of its products from the surrounding country and in turn the cities and villages furnished the country with the principal manufactured articles. That time has passed. The specialization of industry, the inventive genius of mankind, the introduction of rapid transit, the building of great manufactories, which absorbed the small industries of the villages and towns, have made all parts of the country and Nation, to a greater or lesser degree, interdependent. Transportation, therefore, is a subject vital to every individual and every business in the country, and while, of course, the amount of rates is important the most important thing is the relative reasonableness of such transportation charges. The great rate structure of this country has grown up under competitive influences. I do not mean so much competitive influences between railroads, although this has been an important factor, but competitive influences between communities, States, and different sections of the country. The merchants and manufacturers of Chicago compete with the merchants and manufacturers of New Orleans, St. Louis, Kansas City, Omaha, St. Paul, and Minneapolis. The cities of the Atlantic and Pacific seaboard compete with one another for the inland trade. A difference of 1 mill per ton per mile will make or break the railroad systems of this country, and a small increase or decrease in competitive rates, unless just and equitable, may ruin the merchants and business men of one city and build up those of another. And while I do not claim that the rate structure of this country is in all respects perfectly just and reasonable, it is an approximation which has come into existence through years of experience of railroad men, State and Federal railway commissions, and competitive influences, so that the farmers of the Mississippi Valley may place their products on the markets in competition with those in other sections of the country. To build this great structure has required the best ability of an army of traffic managers, rate experts, and of the Interstate Commerce Commission and its employees. It is appalling to say that because we are at war this entire rate structure, and the absolute power to change a rate, affecting the billions of dollars of railroad property and hundreds of

millions of dollars of commerce shall be placed in the hands of one man, without right of appeal, be he ever so great and though he possess the wisdom of Solomon. It is not the business of an executive. The making of rates is a legislative and administrative function.

The legislature must lay down the rules for making rates; for instance, that they shall be just and reasonable and nondiscriminatory as between communities and individuals; and the legislature may then delegate to a board or an officer the power to inquire as to whether the rates comply with the legislative fiat, whether they are reasonable, just, and equitable, and if the board or person finds such to be the case, to establish the rate. Of course, this is axiomatic, and I am merely making the statement in order that I may base further argument upon it. Nothing is further from the business of a purely executive office. In no nation of the world is the making of rates in the hands of a single executive officer of the Government. There is no more reason for this power being delegated to one official, without the right of appeal, in times of war than there is in times of peace. The making of rates does not affect the operation of the roads. It is simply a question of compensation. The great majority of traffic is not Government troops and materials, but is private; and no country in the world, even as to Government railways, has ever delegated the power to fix rates to a single official. In Canada it is vested in a Canadian railway commission; in Great Britain, in the railway and canal commission; and in France a most elaborate system has been adopted. A rate may be originated by a company, but before taking effect it must be approved by the minister of public works. It is submitted to the prefects of the departments or the arrondissements and to the chambers of commerce of the districts affected. It must be passed on by a consultative committee consisting of a body of men created to investigate rates, composed of 150 members, including officials of States, representatives of agriculture, commerce, and industry, and a representation of senators and deputies. In Prussia there is a general advisory council and nine district councils, and in Austria-Hungary and Italy they have established similar bodies.

In every country the making of rates is considered of great importance to commercial life that it is surrounded by the greatest safeguards; and yet it has been proposed, simply because we are at war, that we not only turn over the operation of all the railroads to the President but allow the President to delegate to some official the extraordinary power of making all rates. I have seen in the newspapers within the past few days a statement that the Director General intends to increase the passenger rates in a certain part of the country to deter traveling. I hope it is to Washington. He might accordingly advance freight rates to deter shipments, and without knowledge and consideration of the far-reaching effect might ruin thousands of business institutions. Everyone knows that the President himself can not give time and consideration to the matter of fixing rates. The proclamation in this case, in substance, provides that until further order the State and Federal commissions are to continue their functions. I think it is the duty of Congress to provide the tribunal which shall have charge of this question, necessarily quasi judicial in its nature. It might be remarked here that the Interstate Commerce Commission is an arm of the Federal Government.

It is especially important that this power be vested in a body which has for years been gathering information, which has an intimate knowledge of the vast and complicated rate structure, and is conversant with business conditions and needs throughout the country. I do not claim that the system now in vogue is not capable of improvement. I speak, however, from an intimate knowledge of the operation of the present system extending over a period of 25 years, and it is my opinion that the Interstate Commerce Commission has performed a function of inestimable value to the business interests of this country. I know of no shipper or railroad who would return to the system which existed before the establishment of the Interstate Commerce Commission. We can all remember when the system of rebates was the rule rather than the exception; when the small shippers, who were without influence, alone paid the rates, and when industries and towns were built up by reason of partiality and others destroyed for the same reason. It was the natural outgrowth and logical result of excessive competition and unlimited power vested in railroad managers. That condition, however, is now one of the past.

The Interstate Commerce Commission has performed a great public service in investigating commercial and industrial conditions; in compiling statistics with regard to practically every phase of railroad operation and management, in enforcing the laws affecting commerce, and in coordinating the rate systems throughout the country.

It is argued that the President is responsible for the operation of the roads, and therefore should be vested with the power to establish rates. As Executive head of the Nation, he is responsible for many of the activities of the country, especially during the present emergency, but it is also true that, under the law, he is not charged with the execution of all the various war powers, and I know of no problem which can be more properly submitted to a tribunal familiar with rate structure than that involving the establishment of and change in rates.

It is provided in this bill that in the event the President fails to reach an agreement with the railroads with regard to compensation the determination of that question shall be submitted to a board or boards of referees appointed by the Interstate Commerce Commission.

I am as desirous as any Senator in this Chamber to vest in the President all the power necessary for the successful prosecution of the war, and I have voted accordingly since becoming a Member of this body. Moreover, in the event there is any doubt of the necessity for so doing, I shall resolve that doubt in favor of the President; but I can not believe that the President will ever desire to exercise the power of fixing rates or that such power should be delegated to a single individual.

DURATION OF GOVERNMENT OPERATION.

I am very strongly of the opinion that this bill shall provide a definite time after the termination of the war when Government operation shall cease and that it should not be left to the uncertain result of future congressional action.

Under the extraordinary war power the President, by proclamation, took possession and assumed control under the law which authorized this to be done during the period of the war. Having thus acquired possession of the railroads, under a statute which only authorized the taking of possession during the war, the Director General of Railroads now comes before our committee and asks that this possession continue until Congress shall otherwise provide. I have no doubt that under the war power Congress may keep the railroads for a reasonable time after the termination of the war. But to keep them an indefinite time and pay rent therefor is obtaining property under false pretenses, so far as the American people are concerned.

There are many reasons which convince me that this is unwise. I am quite aware that it will receive the approval of those who believe in Government ownership and operation. They see, without squarely meeting the issue, an opportunity to get permanent possession of the railways and carry out their ideas, or to experiment with the railroads with this in view.

I must admit that I have had to revise my ideas a good many times since the beginning of this war, and it is our duty as Senators to meet these startling changes with the most liberal spirit. *Though I did not believe it was wise or necessary to take over the railroads, I am prepared to go to the full limit to make Government operation as successful as possible and to grant all the powers necessary to that end.* But I am not yet prepared to take a step that will vest such powers in Government-ownership advocates and force Government operation of railroads upon the people of this country. That question should be met by the American people squarely and fairly, unhampered by any other issue, and should the time come when the people of this country deem it wise to take over the railroads their mandate is final. I may support it myself, but I am not yet ready to do so. Why are the railroads taken for war-emergency purposes to be kept by the Government indefinitely, while campaign after campaign is waged over the question of Government ownership, where the President can, by vetoing a measure turning them back to their owners, require a two-thirds vote of Congress to return the property thus taken?

But as there are undoubtedly men who believe that any means of Government ownership and operation justify the end, I may be pardoned for considering for a moment the result of experience in Government ownership and operation. I believe there is no question that the result of experience has shown that Government operation of railways is more expensive, less efficient, and less beneficial to the people generally than private operation. We have a splendid system of railroads, with cost of construction and capitalization the lowest, in comparison, of the leading countries in the world, with the best equipment, the cheapest service, and, in most respects, the best service.

I do not say that it is all it should be, for I do not think it is. I remember very well a remark made by the late James J. Hill, who built the Great Northern Railroad through the wilderness to the coast. Only a few years ago he said "the railroads of this country ought to spend a billion dollars a year for the next 10 years," and I have no doubt that it is true.

The freight rates are very much lower in this country than in any other country except Japan. In some countries the passen-

ger rates for all passengers carried are lower than in this country, but this is largely due to the fact that there they have third and fourth classes, which, on the Continent of Europe, constitute the greater part of the traveling. In Prussia, for instance, third and fourth classes constitute 95 per cent of the travel, and this, to a great extent, is true all over Europe, while in this country the extraordinary passenger service is equaled nowhere in the world.

It is true that in one respect our service is not as good as that of Great Britain, Prussia, and France, and that is in the number of accidents to employees and passengers. But this is principally due to the training of the employees. In those countries, under the law, there are severe penalties accruing in the event of errors and mistakes by employees, which are enforced. In Prussia, especially, the trains are in charge very largely of soldiers, trained to obey orders, whereas our people are reckless and careless and there is no reason to believe that there will be fewer accidents under Government operation than under private. It is impossible for me, in the time at my command, to go through all the statistics and comparisons between Government and private ownership operating side by side. But experience has undoubtedly shown in Canada, France, England, Austria-Hungary, Italy, Australia, and New Zealand that Government operation is less effective, less efficient, and more expensive and subject to all kinds of political interference. This is especially true in the countries where the railroad management is responsible to parliaments and congresses.

I should like to call the attention of the Senate to the report of Pierre Leroy Beaulieu, a French deputy, upon the experience of France in respect of Government operated railways and privately operated railways, and I ask that this article, commencing on page 21 and ending on page 25, be incorporated in the Record at the end of my remarks.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Without objection, permission is granted.

Mr. KELLOGG. I shall not stop to read it all, but I invite the attention of the Senate to a few sentences.

Mr. THOMAS. What is the date of it?

Mr. KELLOGG. This report was published in 1912. Quoting:

A main argument used in Parliament in favor of transfer from the company to the State was that the company never did, and never could, earn its guaranteed dividend in full, still less the extra dividend which it would be entitled to if earned; that the company was accordingly a mere caretaker and not interested in financial results, and did not operate, and could not be expected to operate, with economy. The State, on the other hand, would have a direct interest in operating economically. That was the argument. Here are the facts: During the last 10 years of company management the State had to pay an average of \$2,894,280 a year to meet its liability under the guarantee to make up the deficiency in net operating income.

In France all the private railroads receive a guaranteed income on their stock.

During the first three years after the transfer, the sums it had to find under the same head were \$6,753,320, \$8,875,792, and \$14,934,484, respectively. For the year 1913 the figure was \$14,752,237.

Nor do these deplorable financial results tell the whole story. The service to the public was absolutely demoralized. * * * In the first place it is the abuse of formalism and red tape, with all the delays which follow and which are directly in conflict with commercial needs. In the second place, it is the lack of stability. The director and all the chiefs of the service change at the will of the ministers, whilst in the private companies the higher personnel is maintained a long time, fulfilling the same functions. It is next the political influence which enters into the choice and advancement of the personnel. It is, lastly, the lack of discipline which also results from the political influence at work. From the electoral point of view, the lower staff, being much more numerous, will always have much more power than the superior staff.

From all points of view, the experience of State railways in France is unfavorable, as was foreseen by all those who had reflected upon the bad results given by the other industrial undertakings of the State, such as the telephone, matches, and many others. The State, above all, an elective administration, can not be a good commercial manager.

Mr. SHERMAN. Mr. President—

Mr. KELLOGG. I yield to the Senator from Illinois.

Mr. SHERMAN. Before the Senator lays aside the part referring to French railways, does the report or article from which he quoted show that the State-owned railways of France kill more of their passengers, compared with the mileage, than the privately owned roads?

Mr. KELLOGG. I do not know.

Mr. SHERMAN. I have a number of tabulations for several years that indicate that such was the case.

They not only kill more passengers but they kill more of their employees, although a lower per cent of them.

Mr. CUMMINS. Mr. President, I want the Senator from Minnesota to know that I am not going to draw him into an argument with regard to Government ownership, or participate in an argument on that subject; but I want to ask him if it is not

true with regard to the Western Railroad of France, which is the one he has just been speaking about, that under private ownership and operation the road had been permitted to fall into such decadence and dilapidation that when the Government of France took possession of it it was necessary almost to rebuild it and reequip it, and that these facts furnish the reason for the increased cost to the State for the few years after the Government took possession?

Mr. KELLOGG. No; the facts were the contrary. The road was in worse condition afterwards than it was before, and its operating expenses immediately increased. The Senator I think, will find that he is entirely mistaken about that proposition.

Mr. CUMMINS. The operating expenses did increase—I know that—but if the Senator will examine a document that was presented to the joint committee of the two Houses investigating the matter of railway legislation and control I think he will find that the extraordinary expenses for the few years after Government possession were due to what we call, in railway parlance, deferred maintenance; that is, private management had allowed the property to run down.

One other question, and then I will not ask further questions. The Senator stated that freight rates in the United States were lower than in any other country in the world except Japan. Will the Senator state what the rate upon a haul of 50 miles is in the United States as compared with the haul of the same commodity for 50 miles in Germany or in any other country?

Mr. KELLOGG. I can not give the exact rate, but I have compared the rates, together with the distance hauled, not only between this country and Germany, but between this country and Great Britain, France, Italy, and other countries. I have examined the statistics and the opinions of experts on this question, and so far as I have been able to discover they uniformly agree that, taking distances and all the conditions into account, the rates are very much lower in this country than in any other country, I believe, except Japan. There may be some minor exceptions.

Of course you have to take many things into consideration. In Great Britain the railroad rates cover the collection and delivery of shipments. That is one reason why Great Britain's freight rates are high; but when you disregard that feature all the experts, in my opinion, will agree that the freight rates in this country are lower than in any of the other leading countries in the world, excepting Japan.

Mr. CUMMINS. That is not my understanding of the facts, although I do not want to disparage our own railway system; but I venture to say that when reduced to a comparable basis—that is, when the length of haul is considered—our rates are as high as, if not higher than, those of any other country in the world.

Mr. KELLOGG. The Senator is entirely mistaken, and I will refer him to any number of experts who have examined and written upon the subject.

Over and over again has it been shown where railroads are nationalized operating expenses immediately advance, the number of employees is increased, and the efficiency is decreased. Political influence is exercised over construction, betterments, and extensions to meet the demands of the people, and, with the exception of Prussia and Japan, there is not a Government system in the world that pays its operating expenses and a fair rate of interest on the cost, and in many cases there are very large deficits. It is true that even the German States outside of Prussia do not make their railways pay, and the result in Austria has been exceedingly disappointing and disastrous. It may be asked, Why do so many European countries own their own railways? There are various reasons, some of them military, others because the Government had guaranteed the indebtedness and was compelled to take over the railroads or lose the investment, and, again, because the cost of construction was too great and income too uncertain for private enterprise. In Germany it was very largely military consideration. Bismarck was desirous of constructing and maintaining Prussian railroads in a system most advantageous for the handling of troops and Government materials in case of war, and vast sums have been spent to construct railway tracks for strategic military purposes. This is more or less true in other countries. In France some railroads were taken over, especially the western roads, because the Government had guaranteed the income and took the roads over to save its investment. This is true also in Italy, to a very great extent, and in some other countries. It may be well here to remark in passing that the Government guarantees dividends of from 7 to 13 per cent on all of the private railroads in France and reserves a division of profits over and above from 10 to 22 per cent. The following

is a table which gives the information as of 1910, the last date available:

	Par value of stock (francs).	Rate of dividends guaranteed.	Revenue reserved to stockholders before division of profits.	Dividends paid.	Market price Nov. 25, 1910, per 100 francs.
		Per cent.	Per cent.	Per cent.	Per cent.
Nord.....	400	13.525	22.125	18.0	407
Est.....	500	7.10	10.10	7.1	175
Ouest.....	500	7.50	10	7.7	186
Oreans.....	500	11.20	14.40	11.8	266
P. L. M.....	500	11	13.50	11.2	244
Midi.....	500	10	12	10	225

But one of the most serious objections to Government ownership and operation is the political influence and pressure brought to bear. One of the difficulties with railroads of this country has been that in many instances they have been too valuable as a political asset. But this is nothing to what it will be if the Government takes over all the railroad properties, valued at more than \$17,000,000,000, and makes Government employees of over 1,700,000 men.

One of the scandals of our Government occurs in connection with its appropriations for internal improvements, such as rivers and harbors, post-office buildings, drainage projects, and so forth, where Congressmen and Senators deem it perfectly legitimate to obtain any kind of an appropriation for the benefit of the people of their districts in utter disregard of whether it is necessary for the national welfare or not. If all railroads of the country were placed in the same category, improvements, extensions, and betterments to meet the demands of the people of the various communities would be obtained through political influence; the running of trains, freight and passenger, furnishing facilities, would be constantly subject to political pressure through Congressmen, Senators, and public men generally. It has already commenced and the people in this country are demanding that they have a right to have their Congressmen and Senators intercede with the Director General of Railroads in behalf of their particular section of the country. Their Senators and Representatives can not do otherwise than present these matters, and will not do otherwise.

I do not say that this is objectionable other than as to the system involved. The building of railroads to meet the great commercial conditions of a growing country ought not to be constantly the subject of political pressure.

But there is another serious objection. In turning the railroads over to Government operation the employees and officers will be divested of the incentive and enterprise essential to any great undertaking. To-day the highest positions with the railroads of the country are within the reach of the humblest boy in the service. I know most of the railroad presidents to-day controlling the destinies of this vast property, and they advanced from very humble positions, and the value of the organization of the railroad company is derived largely from motives of self-interest and individual enterprise which opportunity offers to every man in railroad employ.

Hope of preferment and opportunity are the guiding stars which have made this country foremost in the industrial and commercial fields of the world. Nationalizing the railways makes all of the men mere Government employees. There is no hope that they can reach the position of president of the railway and enjoy the power and influence which goes with that position. They are mere clerks. They lose interest and ambition. Men with capacity, ability, and authority to employ their own men could run the departments in Washington for very much less money and very much more efficiently. It is, of course, one of the things that go with a democracy. I do not wish to see it changed, except to see it bettered. I am not in favor of turning over the vast railways of this country merely to reduce men to the dependent influences of Government operation.

Mr. President, there is a rising tide of socialism to-day which threatens the foundations of representative democracy the world over. There are well-meaning men in its ranks. They believe that the millennium is coming and the Government can exercise the function of all private enterprise and all fields of human endeavor can be equalized.

Sir, it is an old, old dream, which the world has discarded again and again since the dawn of civilization. The best guaranty to the people of this country for their security of our institutions are those principles embodied in the Bill of Rights, which have been tried by the experience of ages and are firmly fixed in the Constitution of this land.

"In times of stress and storm, when nations are struggling for their existence, when all the resources and forces of society must be marshaled for the supreme test, it is unwise, under the guise of necessity, to forsake the fundamental principles of government and of economics which lie at the foundation of all progress and organized society. Business and industry should flow, as far as possible, through its natural channels. Always remembering, however, that the lives and fortunes of the people are pledged for the liberty and welfare of the Nation.

APPENDIX A.

MR. KRUTTSCHNITT. Well, this crosshauling, particularly of coal, was one of if not the controlling influence that has brought about this congestion on the eastern roads. There is absolutely no control of crosshaul. The War Board six or eight weeks ago—I think in the latter part of November—had a conference with the Fuel Administrator and called his attention to the waste of transportation by crosshauling of coal and recommended that he issue orders that would stop it, and he asked us if we would not work up a plan and submit it to him. We did so and submitted that plan, I think, early in December. It was very carefully worked up, after the fashion of the English plan, which you have no doubt seen, by which the routing of coal from one producing district to a consuming district is marked out; and the principle on which the maps were drawn was that any consuming district should get its coal, regardless of its wishes as to quality of coal, from the nearest coal-producing district. That, of course, cut off the crosshaul, but nothing has ever been done about it. We urged action on it, but no action has been taken.

Senator WATSON. You had no power to enforce action?

MR. KRUTTSCHNITT. Oh, absolutely none.

The CHAIRMAN. To what extent did that prevail in other shipments? Have you mentioned coal as the principal one?

MR. KRUTTSCHNITT. Well, coal was the principal one, because its tonnage is so great. No doubt the crosshaul existed as to other commodities, but the crosshauling was not as potent an influence in bringing about this congestion as the crosshauling of coal.

The CHAIRMAN. I thought perhaps you might have some figures to show or some data to give the committee in reference to munitions and supplies to be exported abroad.

MR. KRUTTSCHNITT. I was going to come to that, but I will answer that question now, that the next most potent influence in bringing about this congestion was the indiscriminate use of a preference envelope by shipping agents of the War Department. At the beginning of the war, in conference with the Quartermaster Department of the United States Army, the railroads printed what they called a blue envelope, and freight on any waybill or bill of lading inclosed in the blue envelope, which was clearly marked "United States Government service," was given preference, it being understood by the Quartermaster Department of the Army that whenever that envelope was used there would be no question about the preference. If it was marked "Government service," it would be rushed. Now, the Army, because of the vast tonnage which it was shipping and the great number of officers charged with shipping freight, got to using those envelopes for a great deal of freight that did not require preference movement. In other words, it was used for everything that the Government bought and abuses crept in thus: We will say a manufacturer who was turning out 10,000 tons might have been turning out a thousand for the Government and 9,000 for the general public, yet he would get preference envelopes to use for the Government shipments and he would use these preference envelopes for his whole output.

Senator ROBINSON. That same system has prevailed in the shipments to a large number of cantonments throughout the country.

MR. KRUTTSCHNITT. Of course the railroad was helpless. We can not go behind the blue envelope and investigate when the freight is tendered, covered by these bills of lading, asking, "Is this really Government freight? Is it vouched for by so and so?" You have got to trust the men to whom these preference envelopes are given, and if they will let them slip out so that Tom, Dick, and Harry can use them, the result is just what you have seen. One of the trunk lines estimated that 85 per cent of the total tonnage they were handling, including coal, was covered by these blue envelopes. You can imagine the state of mind of a yardmaster at a terminal, say, like Pittsburgh, when he was confronted with the freight covered by all of these blue envelopes and covered by other orders giving priority of transportation to different commodities, he would be a fit subject for an insane asylum; he would not know how to get around his work.

Senator ROBINSON. Everything that came in had a priority?

MR. KRUTTSCHNITT. Pretty much everything; and it resulted in this, that if everything had preference, nothing had preference; it simply congested the roads.

Now, those two influences were the principal ones that have brought about the congestion on the roads east of Chicago and north of the Ohio and Potomac Rivers.

Senator KELLOGG. On that question of priority orders, prior to the act of August 10, 1917, the interstate-commerce law provided "that in time of war or threatened war preference and precedent shall, upon the demand of the President of the United States, be given over all other traffic for the transportation of materials of war, and carriers shall adopt every means within their control to facilitate and expedite the military traffic; and in times of peace shipments consigned to agents of the United States for its use shall be delivered by the carriers as promptly as possible and without regard to any embargo that may have been declared, and no such embargo shall apply to shipments so consigned."

That was the law in existence as to the shipment of materials of war. Now, on August 10, 1917, the Congress passed a bill providing "that during the continuance of the war in which the United States is now engaged the President is authorized, if he finds it necessary for the national defense and security, to direct that such traffic or such shipment of commodities as in his judgment may be essential to the national defense and security shall have preference or priority in transportation by any common carrier, by railroad, water, or otherwise."

I am sure it was the intention of Congress to place in one hand the power to direct preference or priority of shipments, but, as I understand you, notwithstanding that the War Department and the Navy Department, the Food Administration and the Coal Administration gave indiscriminate preference orders.

MR. KRUTTSCHNITT. The understanding of the War Board, Senator, was substantially your own; that is to say, we supposed that when that priority act was passed that the man charged by the President with administering his duties under the authority of the act would determine priority for everything. Prior to that we had been acting under the clause you read from the interstate-commerce act; that is, we simply took it for granted that officers of the War Department and the Navy Department, all of whom were under the President as Commander in Chief, were under his orders, and anything that those departments wanted shipped we ought to give preference to, according to that law, and even after the passage of that priority bill we continued doing that.

Now, when this flood of preference envelopes threatened to swamp us we had a meeting with Mr. Lovett, who was priority commissioner, and we told him of our troubles with the departments, particularly the War Department, because there were more men shipping and more goods shipped, and they were using these preference envelopes in such numbers that they were getting beyond our control. We asked him if he would not take charge and straighten that matter out, and he said that he did not understand that it came under him. We had quite an argument about it. We wanted him to help us to that extent, and he said he could not; that it did not come within his purview, and also, if I understood him correctly, that his duty was simply to establish priority of movements as between different commodities, and he could not undertake to say that some things should be shipped and some should not. However, he was so impressed with our difficulties that he said he would take the matter up with the Secretary of War, and he told us a few days after that that the Secretary of War recognized the difficulties under which we were laboring and would have the matter straightened out, but nothing was ever done until Mr. McAdoo took charge. When we explained the troubles with these preference orders he at once appointed Mr. Chambers to coordinate all shipping facilities of the Government, and Mr. Chambers is now performing those duties.

APPENDIX B.

EXPERIENCE OF STATE OPERATION IN FRANCE.

Here in broad outline is the story of the result of the transfer. In the five years, 1904-1908, before the transfer the gross receipts rose steadily from \$37,084,000 to \$42,145,000. In the five subsequent years, 1909-1913 (the war upset entirely the figures for 1914), the gross receipts rose from \$42,333,000 to \$48,701,000, a slightly greater rate of increase. In the five years before the transfer, the operating expenses rose from \$20,706,000 to \$28,388,000, this last figure being unduly inflated by the fact that, from the date the Chamber voted the acquisition of the railway, the staff became entirely demoralized. The first year after the acquisition the operating expenses were \$30,304,000. The next year they were \$34,921,000, and the year after, \$39,454,000. In 1912 they had reached \$41,800,000, and for 1913 they fell back to \$41,478,000. In other words, to earn a net revenue increased by 31 per cent, the operating expenses increased by 100 per cent. The net revenue was never below \$13,757,000 in the worst year of company rule. It fell to \$5,352,000 after the Government had been in possession four years. The operating ratio, which had risen from 56.4 to 67.8 under the company, was for the next five years as follows: 72.7, 79.9, 87, 89.4, and 85.2. It is fair here to make a qualification. The operating ratio had gone up on all the French railways between the two periods. It averaged 50.3 for the other five great companies for the years 1905 and 1906, and 58.4 for the two years, 1912 and 1913. But a rise from 50.3 to 58.4 is one thing; a rise from 58.4 to 89.4 is quite another.

A main argument used in Parliament in favor of transfer from the company to the State was that the company never did, and never could, earn its guaranteed dividend in full, still less the extra dividend which it would be entitled to if earned; that the company was accordingly a mere caretaker and not interested in financial results, and did not operate, and could not be expected to operate, with economy. The State on the other hand would have a direct interest in operating economically. That was the argument. Here are the facts. During the last 10 years of company management the State had to pay an average of \$2,894,280 a year to meet its liability under the guarantee to make up the deficiency in net operating income. During the first three years after the transfer, the sums it had to find under the same head were \$6,753,320, \$8,875,792, and \$14,934,484, respectively. For the year 1913 the figure was \$14,752,237.

Nor do these deplorable financial results tell the whole story. The service to the public was absolutely demoralized. There were several very serious and numerous smaller accidents, and the staff and the public got so frightened that the express trains on the main line, already the slowest in France, were decelerated down to a timing that had been abandoned as inadequate in 1896. In addition, a number of trains were suppressed altogether. Punctuality went to the winds. Commuters on the system in the suburbs of Paris were compelled by their employers to live elsewhere because of the unpunctuality of their arrival at their work. As for the service in general, one figure will suffice. Compensation for accidents, loss and damage, averaged some \$400,000 or \$500,000 a year in the last days of the company. In 1911 the figure was \$2,045,291. The minister of public works himself publicly criticized the State administration as a "frightful fraud." And the Senate passed unanimously a resolution beginning, "The deplorable situation of the State system, the insecurity and irregularity of its workings."

M. Leroy-Beaulieu gives the reasons for the "deplorable situation" as follows: "In the first place, it is the abuse of formalism and red tape, with all the delays which follow and which are directly in conflict with commercial needs. In the second place, it is the lack of stability. The director and all the chiefs of the service change at the will of the ministers, whilst in the private companies the higher personnel is maintained a long time, fulfilling the same functions. It is, next, the political influence which enters into the choice and advancement of the personnel. It is, lastly, the lack of discipline which also results from the political influence at work. From the electoral point of view, the lower staff, being much more numerous, will always have much more power than the superior staff. It is always on the side of the former that many deputies will be systematically ranged. Above all, it is impossible to be at once controller and controlled. If one of the great French companies under private management renders poor service, the public opinion is not slow to move the public power, and as this has the means to bring pressure indirectly but in many ways upon the companies, they are led to reform. On the contrary, when complaints are made against the State itself, the administration, irresponsible, does not listen. Rather, it seems indignant that particular individuals or even large associations should dare to find that all is not perfect. 'I have not

seen without a certain astonishment," said the minister of public works in the Chamber, "the chambers of commerce criticize the actions of the State in its (their) reports upon the railways." The same minister has dismissed an employee from his office who was at the head of a section of a passenger line which emitted protestations against the delays on the western state service in the Paris suburbs. When the minister was reproached in the Senate, he declared himself ready to do the same again. One may see how dangerous to the liberty of citizens the extension of the industrial régime of the State would be where the number of functionaries would be indefinitely multiplied and where they would no longer have the right to complain.

"From all points of view, the experience of State railways in France is unfavorable, as was foreseen by all those who had reflected upon the bad results given by the other industrial undertakings of the State, such as the telephones, matches, and many others. The State, above all an elective administration, can not be a good commercial manager. It works expensively, and is powerless before its employees. The experience which we have recently gained has had at least one result. It has provoked a very lively movement, not only against the repurchase of the railways, but against all extension of State industry. This result seems to me fortunate. I hope this opinion will be maintained, and that not only we but our neighbors may profit by the lesson of these facts."

M. Leroy-Beaulieu gives examples of what has happened under the various heads. "As for formalism and red tape," on the eve of the handing over of the railway to the State, there were 1,528 employees in the central office. Within three years the number had increased to 2,587. "The single service of the accountant general was increased by 70 persons directly after the repurchase." And this was due partly to political pressure and partly to excessive red tape. For example, in the Caen division, the preparation of the pay sheets, which under the company took 9 persons 3 days, or 27 days, under the State administration took 12 persons 6 days, or 72 days. "According to official documents, there are not less than 96 persons receiving a salary of more than \$1,929.52 in the State system" as against 33 on the system of a neighboring company of much the same mileage but with much higher receipts. In the five years from 1908 to 1912, the total expenditure increased \$10,573,770, of which \$8,412,707 were for salaries and wages. In 1908, out of every \$19.30 of receipts the company paid \$7.24 in salaries and wages. In 1912 this figure was \$9.70. The comparative figure for the five great companies is only \$5.70. In 1910 per \$192.952 of receipts the State railways employed 235 persons, the private companies 174.

Again, as the result of the great strike of October, 1910, the Chamber of Deputies voted a large all-round increase in the wages of the staff. Naturally, the staff thought there were shorter cuts to increases of wages than hard work. As a sample of want of ordinary business management on the financial side, the budget commission of the Chamber reported that it could not draw up a proper estimate for 1912 from lack of the necessary accounts. "The statements addressed to the budget commission by the administration were manifestly inaccurate."

The great part of the statements of receipts and expenditures were found to lack any sufficient justification. Thus as regards the expenditure upon personnel, the tables accompanying the statement only stated the numbers of workmen and staff and the amount of their salaries in round figures. "We wrote for further statements, more particularly the numbers of the personnel."

The minister replied (three years after the railway had been taken over) that the enumeration of employees had not yet been made.

This example suffices to show the trust that may be placed in the other parts of the budget estimate. This is not the opinion of an outside and unfavorable critic. It is the report of a committee of the Chamber of the same political complexion as its predecessor which voted for the purchase, based upon a draft drawn up by a deputy well known as an advocate of State ownership.

One story given by M. Leroy-Beaulieu is so striking as a sample of the highest quality of red tape that it deserves to be given at length. It is from a letter of a station master read in the Chamber of Deputies: "In the time of the western company, we station masters had orders to use the rolling stock as quickly as possible, and to send to a given station all that we did not ourselves require. Under the State all is changed. Every station master is forbidden to load any wagon without the orders of the distribution bureau of the district. This bureau is, as is well known, a new creation specially designed for the purpose of finding situations for so many more bureaucrats. Recently, having received two wagons loaded with horses, accompanied by an order to send these wagons to Caen after they were unloaded, I thought to do well by loading in these two wagons 200 sacks of grain which had been waiting in the sheds for several days to go to Caen. But alas, I did not know the bureau of distribution. The next day I saw my two wagons return, and I received at the same time an order to unload them. I was reproved into the bargain for excess of zeal. I had to obey the order. That evening I sent the wagons empty to Caen. Next day I received two others, also empty, in which to load the grain."

Mr. McLEAN. Mr. President, the issue raised by the minority report offered by the Senator from Washington [Mr. PORTER] is one of overshadowing importance, and it is an issue that will be paramount at the ballot box in the near future. As a member of the Committee on Interstate Commerce I feel it to be my duty to let my constituents know precisely where I stand upon the question of Government operation of the railroads of the country.

The only possible justification for the bill reported by the committee is the fact that it is a war measure. We are facing the probable necessity of sending millions of men to France, there to contend against the largest and most brutal and best-equipped army in history. We know that unless the fighting strength of our Army and the armies of our allies is sustained to the highest possible point of efficiency the result may be disaster in which the history of self-government will be written in failure and disgrace.

Regular and sufficient transportation is the great and prime necessity in the business of waging war, a necessity which can not be met without unity of action and perfect cooperation, and this, in turn, can not be had unless the power to secure it is placed beyond interference by private interests. As a war

measure, therefore, I am willing to confer upon the President all the power and latitude of action necessary to enable him to make fair and reasonable agreements with the carriers for the use of their properties during the war emergency and for a period thereafter long enough to permit the carriers to readjust themselves to peace conditions.

To extend the operation of this act until Congress shall "otherwise order" would be to give to this law all the permanency and length of life that it is possible for Congress to give to any law, and considering the ease with which attempts to repeal this law could be delayed and ultimately defeated, I can not escape the conclusion that those who vote against fixing a time within which this act shall cease to operate vote for the permanent Government ownership of the railway systems of the country. Certainly those who favor Government ownership would have every advantage, and beginning from the day of the enactment of this law they would endeavor to convince the people of the country that Government regulation had failed and that the only possible solution of the problem must be found in Government ownership.

It is possible that the New York & New Haven Road and other roads in New England will prefer a permanent Government guaranty of their fixed charges and maintenance to a return to the old system of regulation by Congress and the Interstate Commerce Commission, but as far as the stockholders and the public are concerned they will be the losers in the long run, in my opinion. New England must import her raw materials from great distances, and the cost of transportation is a serious burden. Private initiative and ingenuity will reduce this cost, if it is given a breathing chance, much faster than will be possible if the roads are managed by Government employees selected because of their value to party managers on election day. It is my guess that a large percentage of the carriers of the country, smarting under the injustices inflicted by the system in vogue prior to the 28th of December, 1917, will join forces with the Government-ownership advocates of every name and nature, including Socialists and Bolsheviks, and those of us who disagree with them and want cheap, regular, and safe transportation would best begin to drill for the coming onslaught.

There is no economic distinction in the public service rendered by a common carrier and the public service rendered by the producer of other things which are necessary to meet public needs.

The producers of transportation render a great public service, but not as great as the producers of food or clothing. Justification for Government interference with the seller of transportation arises only when he secures a monopoly of his product and is in a position to exact extortionate prices, and precisely that same situation will arise whenever the producers of food and clothing and shelter find it possible to create a monopoly in their products. The fact that the railroad must first secure a charter, charged with certain duties to the public, and the further fact that this charter may be revoked or altered at any time has no significance.

The railroad is a prime necessity to the people. The Government, in order to meet this necessity, has given to the railroad companies the right to take land and construct its lines, demanding in return nondiscriminating rates and accommodations.

There are instances of large public grants to railroads, and there are instances of large public grants to other private enterprises. Millions of acres have been practically given away, and properly so, to the farmers who have settled the great West. In the East the railroads have had to pay two prices for the land they have purchased. The claim that railroad property, though private, is charged with obligations to the public from which other private enterprises are free is untenable, and it is just this fallacy that will bring consternation to those who later on may desire to stop before they cross the dead line of socialism.

All private property is charged with its obligations to the public, and those obligations are measured by the economic necessities of the body politic, whether they be imposed by taxes or by restrictive and punitive statutes.

In the present emergency the Government has not yet taken possession of the farms and mines, but it has fixed the prices of coal and wheat and steel; and let me remark in passing that this price fixing will end in lamentable failure unless it be liberal enough to insure constantly increasing production. You can not compel men to do business at a loss.

The war necessity may demand many sacrifices in life and property, but when you destroy the sources of income you insure the loss of the war.

England and France early saw the need of increasing production, and they did it in the one sure way. They made prices a secondary matter. England raised passenger rates 50 per

cent on the outbreak of the war, and she also realized that enough wheat at \$3 a bushel would be much cheaper than no wheat at \$2 a bushel. I do not care how patriotic the producers are, they can not produce at a loss for any length of time. If wages are high, the products of labor will be high. As we are all consumers and nearly all of us are producers, high prices can be endured if they are relative. If the Government fixes the price of a product so low that it will hazard the margin of profit, it will very soon be compelled to lower the price of the labor which goes into that product or the industry will collapse, and it has been the failure of Congress and the Interstate Commerce Commission to understand this elemental principle that has caused the alleged breaking down of the railroads.

President Hadley, of Yale, acting as chairman of the Railroad Securities Commission, added to his reputation as a prophet, honored both at home and abroad, in his report published in December, 1911. Let me quote one or two of his conclusions as to what would happen if the railroads were denied reasonable compensation for the service rendered:

A reasonable return is one which, under honest accounting and responsible management, will attract the amount of investors' money needed for the development of our railroad facilities. If rates are going to be reduced whenever dividends exceed current rates of interest, investors will seek other fields where the hazard is less or the opportunity greater.

Neither the rate of return actually received on the par value of American railroad bonds and stock to-day nor the security which can be offered for additional railroad investments in the future will make it easy to raise the needed amount of capital. The rates of interest and dividends to outstanding bonds and stocks of American railroads is not quite 4½ per cent in each case.

The necessary development of railroad facilities is now endangered by the reluctance of investors to purchase new issues of railroad securities in the amounts required. This reluctance is likely to continue until the American public understands the essential community of interest between shipper and investor and the folly of attempting to protect the one by taking away the rewards of good management from the other.

We must not forget that the record of the railroads prior to their regulation by Congress and the States is a remarkable one. For years the building of railroads furnished a field of speculative adventure unequalled in history. For years the railroad was considered the chief material need of growing America. Railroad building became almost a mania. Great financial risks were taken. Millions were lost as well as made. It has been stated that the total investment in railroads has returned a dividend of less than 2½ per cent. With the completion of the Union Pacific and the great trunk lines of the East came the consolidation era. As the possibilities and the advantages of combination and cooperation in transportation became apparent extravagant prices were paid for the stock of competing and contributing lines. In the East trolley lines and terminals and hotels were bought and built at extravagant cost. Ambitious managers lost their heads in their eagerness to secure vertical and horizontal monopolies of everything that promised a profit. Discrimination in rates was the order of the day. To get a low rate one must "play poker with the local manager and let him win."

Naturally, the public did not take to this idea. The tide of popular sentiment turned against the carriers. The States created commissions whose sole duty it was to watch and regulate transportation by rail. The free passes that had been proudly exhibited by molders of public opinion as a mark of distinction were either returned or kept in an inside pocket. State legislators that had been the tools of the carriers found safety in a complete change of front. Finally, Congress took a hand and in due time the other extreme was reached. Rates were fixed and rate pooling was prohibited. Competition was made mandatory and combinations forbidden. The Interstate Commerce Commission has repeatedly recommended a repeal of the antipooling law, but Congress has never had the courage to do it. The Interstate Commerce Commission has conceded the justice of higher rates, which it has not had the courage to grant.

Putting aside for a moment the wicked things that managers of the railroads have done in the past, or would have done but for the interposition of the Government, what has the capital that has been put into the railroads done for the country, and what do the railroads themselves stand for to-day as a national asset? The 400,000 miles of track in the United States have been put down for less than half the average cost per mile in other countries. Transportation in the United States costs less than half the average cost in other countries. The wages paid are more than double the average wage in other countries. The average tonnage per car and the total tonnage per mile is greatly in excess of that in other countries. The regularity, safety, and comfort of the service provided by the American roads is far better than that of the roads in other countries. For every dollar that the railroads have taken from the public more than a dollar has been returned. Is it not time to quit

visiting upon the railroads the sins of the nineteenth century and do to them as we would be done by?

If we want to get a fairly definite idea of the value of the railroads to the American people, suppose we try to imagine what would be the effect of their removal.

Our total wealth is estimated at \$240,000,000,000. Of that total, the railroad investment is said to be about \$20,000,000,000, or about 9 per cent. Is there anyone bold enough to believe that the United States would be worth half what it is to-day if the railroads were removed? Moreover, the railroads are owned by somebody. There are 43,000 women who own stock in the New Haven Road alone. Thirty-three per cent of the assets of the savings banks in Connecticut are invested in railroad bonds and stocks, and probably more than 10 per cent of the assets of the insurance companies.

There are more than a million men and women who own stock in the railroads of the country, and the railroads employ directly nearly 2,000,000 men and women. Assuming that the stockholders and employees are heads of families, we have at least 15,000,000 of people directly interested in the prosperity of the railroads, to say nothing about the 13,000,000 of people who have deposits in our savings banks, and the 40,000,000 life insurance policies in the country, in the safety and security of which railroad stocks and bonds are a very important item.

Why should the transportation companies be denied fair treatment under honest management? The average dividend paid by the railroads in the last 20 years is less than half the average dividend paid by the other great enterprises of the country, including banking institutions, manufacturing concerns, and mines.

In 1909 the average net return from railroad operations was 4.07 per cent, and the net income from manufacturing industries was 13.06 per cent.

Railway supplies and equipment—new cars, engines, and nearly everything that is required to sustain the roads and meet the increased demands upon their carrying capacity—costs nearly three times to-day what it did three years ago. Congress and the Interstate Commerce Commission have stubbornly refused to authorize or permit the railroads to charge self-sustaining rates, or to unify and consolidate control in the interests of economy. No business on earth could survive such treatment. The farmer who, for want of hay, put green goggles on his horse and fed him shavings was a magician in the solution of transportation problems compared with the American Congress.

And, after all, has it been the fault of Congress or the fault of a distorted public opinion which has sustained Congress in its efforts to teach the railroads to live without eating? If the American people will demand an intelligent regulation of railway rates when peace is restored, the carriers will meet every need at constantly decreasing comparative cost.

Why should the Government assume this colossal burden, a burden that will constantly increase in weight and finally result in constantly increasing cost of transportation?

Combination is an economic necessity, but we must remember that the success of all combination requires the fiercest internal competition.

The necessities of the war require the gathering together of millions of men in one great unit, but that unit would be a dead and contemptible thing if the individuals which compose it did not constantly seek to rival and excel each other in deeds of valor and loyalty. The units of the great Steel Corporation must constantly vie with each other in their efforts to reduce cost of production. Combination and competition are inseparable to the economic growth of any business. Competition within industrial units and the combination of those units will be mandatory if we are to successfully stand against the competition that will be forced upon us by the combinations of other countries, and the cost of transportation may be the controlling factor in that great struggle. Cheaper and yet cheaper transportation may be the only weapon that will win for America the commercial wars that are bound to come in years of peace. The clear outstanding fact that American roads, with all their handicaps, have reduced the cost of transportation to the American people to less than half that imposed in those countries where the carriers are owned or managed by public officials is a fact that can not be wisely disregarded.

The American railroad, belonging to class I—that is, roads that handle a gross revenue of \$1,000,000 or more, as classified by the Interstate Commerce Commission—carried in the year 1917, 400,000,000,000 ton-miles of freight, which is an increase of 135,000,000,000 tons over the year 1915, and this increase in itself was as great as the entire freight traffic handled by the railroads of Canada, Germany, Great Britain, Russia,

France, and Austria in 1917, and these countries have a population more than three times that of the United States.

In the first six months after the beginning of the war the American roads carried more freight than they did in the entire year 1906. A freight-train load in 1906 was 344 tons, and in 1917, 655 tons. Notwithstanding this astounding increase in tonnage, the rates were such as to prohibit an increase in net revenues.

Yet the roads did not neglect their duty to the public. From 1906 to 1916 the roads ordered an average of 2,846 locomotives per year and an average of 147,000 cars.

In the year 1917 the average gross earnings per ton-mile in the United Kingdom was 2½ cents. Using this as a basis figure of 100 for comparative purposes, in Germany it was 1.37 cents; in France, 1.3 cents; Switzerland, 2.5 cents; and in the United States it was 0.71 cent, or 31 per cent of the British rate.

One of the reasons why the American roads have been able to live, notwithstanding the low rate at which they have been compelled to serve the public, is due to the fact that the roads are capitalized at much less per mile than the roads of other countries. The average per mile capitalization in the United Kingdom is \$274,222; Germany, \$120,874; France, \$150,322; Switzerland, \$133,255; United States, \$66,447.

The minority report submitted by Senator POINDEXTER cites the New Haven road as a shining example of the folly of attempting Federal regulation under private ownership. It does not follow that because a good and much-needed bank is badly managed for a time that all the banks should be owned and run by the Government. The way the New Haven road has served the public, in spite of its misfortunes, is little short of miraculous, and the Senator who says that the present coal shortage in New England is the fault of the New England railroads is badly misinformed. The New York, New Haven & Hartford, the Boston & Albany, and the Boston & Maine roads, the three roads serving New England, transported 2,817,000 tons more of anthracite and bituminous coal into New England in 1917 than they did in 1916. The scarcity of coal and its grave consequences is largely due to the fact that the Government impressed the tugs which had customarily towed coal barges plying between New York, Philadelphia, Baltimore, and Hampton Roads to New England ports.

The wonder is that in view of the startling increase in labor cost and cost of equipment the great trunk lines of the country are not all in the hands of receivers.

Ties have increased in price 225 per cent since 1897; steel rails, 213 per cent; bar iron, 301 per cent; car brasses, 261 per cent; bridge timbers and stringers, 157 per cent. Freight cars that cost a thousand and eleven hundred dollars each in August, 1914, have doubled in price. Freight engines that cost from \$28,000 to \$32,000 each prior to August 1, 1914, now cost from \$60,000 to \$65,000, and this notwithstanding the Government has greatly reduced the price of steel.

The average freight rates per ton-mile, which in 1897 was 1.126 cents, was, in 1910, 0.977 cent.

The Government seems to have traveled upon the theory that the way for the railroads to survive the strain is to keep on increasing the total of an unprofitable business. If the shippers of the country had paid in 1910 the same average rate that was paid in 1870, they would have paid \$3,000,000,000 more than they were compelled to pay.

Compensation for passenger service is still less satisfactory. Mr. Elliott, in his book on *The Truth About Railroads*, states that the passenger trains of the United States earned, on an average, for the year ending June 30, 1908, \$1.27 per train-mile, while the average cost per train-mile, not allowing for taxes, was \$1.47. A very large percentage of the passenger trains on the New Haven road are run at a loss.

In 1901 the Government received \$100 for every \$34.18 it paid the New Haven road for transporting the mails, and by 1911 the Government reduced this sum to \$21.26.

I desire now to quote from the report of the Interstate Commerce Commission the following statement of the cause of the breakdown of the Boston & Maine:

The financial strength of the Boston & Maine, which has been made manifest for more than half a century, was converted into a financial weakness in half a decade after passing into the control of men who had the reputation of being eminent financiers.

There is reason for belief that this railroad in the hands of its former management would have continued to pay dividends and serve its constituency of passengers and shippers with reasonable rates and adequate facilities.

It is hard to account for such unfair and wholly unfounded statements. Every informed person knows that for many years before it was taken over by the New Haven the Boston & Maine paid dividends that were not earned. The New Haven road put tens of millions of dollars into the Boston & Maine, and so

saved it from bankruptcy, and enabled it to serve the public much better than before it took possession. The stockholders have suffered the losses due to mismanagement, and they should have the sympathy of every fair-minded man. But the railroads have struggled on with marvelous courage and skill, and under decent treatment would soon rehabilitate themselves financially.

We are risking all now to make the world safe for democracy. Yet history tells us that there is no tyranny so hard to bear as the tyranny of the majority when it ceases to act intelligently. The torch of democracy can scorch as well as illumine. It can light the way with equal certainty to slavery or liberty. Majorities of men, like individuals, are prone to take the easier, if not the easiest, way. To avoid the agonies consequent upon a serious injury the young man takes his first morphine tablet. The doctor orders it and the result is miraculous. As the young man slowly recovers he finds it easier to continue to take morphine than to stop, and in a few years the very thing that saved his life kills him. Shall we, in this hour of great suffering and in order to relieve that suffering, encourage the formation of a habit that will destroy us later on? We have already contracted a habit that will lead to disaster if we are not very careful, and that is the taxing habit. Income and inheritance taxes constitute a double-barreled gun with which Congress can compel the rich and poor to stand and deliver into the Public Treasury every dollar they possess. If this habit is indulged in to an extent that will discourage the accumulation of wealth, if the taxing power results in reducing production, there will soon be nothing to tax, but if it consistently leaves to the individual a margin of gain sufficient to enable him to continue his business at a profit to himself—a possible reward large enough to stimulate him to risk his capital and his health in new and renewed endeavors to make three blades of grass grow where but one grew before, then the American people will be able to meet the colossal obligations incurred by the war and to insure an ever-increasing share to be expended for the benefit of the public.

But to return to the railroads. Why should we expect results very different from those which have inevitably inflicted Government ownership in other countries? In the Utopia of Government-owned railroads policies will be dictated by politicians. Employment will depend upon the favor of the Director General and his subordinates. Qualifications for service will depend on ability to get votes rather than ability to avoid accidents or secure regular and sufficient transportation. New lines of road will be paid for out of the annual congressional pork barrel. Rolling stock will soon compare favorably with the sorry rigs which the rural free-delivery carriers use to deliver mails. An utter lack of incentive and initiative will exist in every department. Incompetency and "red tape" and a rapidly increasing number of employees will inevitably result. The people will not only be taxed to pay the interest on the original cost of \$20,000,000,000 but the annual deficits will constantly increase. In Italy, where the chief railways were nationalized in 1905, the number of employees increased within three years from 97,000 to 137,000, and the systems do not earn enough to pay one-quarter of the interest on the investment in them.

Canada has been in the railroad business since 1867. It has owned the Prince Edward Island road since 1873, and it has never earned operating expenses. The Intercolonial road cost the Government \$237,000 a mile.

A committee appointed to investigate the construction of the National Transcontinental Railway, extending from Quebec to Winnipeg, 1,334 miles, reported that \$40,000,000 had already been wasted and that the original estimate of \$61,000,000 for the total cost would fall \$170,000,000 short of the actual cost.

Mr. James Bryce, whose insight into such matters is unsurpassed by any living man, entertains the following opinion of the wisdom of putting the enormous railway systems of this country into the hands of the Government. He says:

The railroads can hardly be taken over and worked by the National Government as are the railways of Switzerland and many roads of Germany and Austria-Hungary. Only the most sanguine State Socialist would propose to impose so terrible a strain on the virtue of American politicians, not to speak of the effect upon the constitutional balance between the States and the Federal authority.

As I intimated at the opening of my remarks, it is quite probable that the managers of the great transportation lines, circumscribed and crippled as their organizations will be at the close of the war, will beg the Government to buy their roads and end their sufferings. I put this question to the president of one of the leading roads of the country, and his reply was: "As an American citizen I am very certain that a time limit should be fixed, but as a railway manager I would welcome permanent Government possession and operation with a fair guaranty on the investment." I am already receiving postal cards from rail-

way stockholders, all printed and exactly alike in terms, urging me to oppose a time limit on the operation of the carriers by the Government.

Again, it is even urged by those supporting the minority report that competing lines which do not pay should be helped out by those which do pay. The self-sustaining roads and the capital which went into them are to be compelled to stand and deliver to the roads that were built for the express purpose of compelling a prosperous competitor to buy them out. The advocates of this plan insist that the nonpaying roads are just as necessary to those who use them as are the self-sustaining roads to their patrons. Their idea seems to be that farmer A, who has a farm 100 or 1,000 miles from farmer B, or mechanic A, who lives 100 or 1,000 miles from mechanic B, should contribute toward the payment of B's railroad fare.

There are many instances where competing lines may combine advantageously, as was frequently done until the Government forbade it, but to compel the stockholders of a legitimate industry, first in the field, organized and constructed to meet a legitimate demand, to support a rival industry subsequently organized that can not get legitimate business enough to support itself, is to inaugurate a variety of statecraft approved by highwaymen only.

If the Government should confiscate and pay just compensation for all the roads, and own them as well as operate them, the upkeep and support of the weak roads would still fall heavily upon sections of the country which have no use for them whatever. We might satisfy the Constitution in this way, but the injustice would remain as declarative as ever.

It is claimed that, because the system in vogue prior to the 28th of December last was a failure, Government ownership is the only alternative. If it is true that the system which failed was clearly unintelligent and unjust, it would seem to be clear that an intelligent regulation of the railroads of the country, under private control, should be given a trial before we adopt a system which both experience and reason tell us will result in unsafe, irregular, insufficient service, to say nothing of the opportunities for political chicanery and graft.

The present plan of Government possession under private management is a half-slave, half-free policy that can be justified only at a time when the life of the Nation itself is at stake. It has all the defects of Government ownership and none of the benefits of private management under private ownership.

It may be necessary to submit to this in order to win the war, and I shall vote for the bill as reported by the committee, but it will be neither justifiable nor necessary at the close of the war.

We are already experiencing some of the blessings of Government management of the means of transportation and production. As time goes on other delights will probably follow. If the samples which have been supplied by the heads of the executive departments are fairly representative of the remaining stock in trade, those of us who will need food and fuel to sustain life would best start for the banana belt early next fall.

I have tried to set forth some of the reasons which compel me to oppose Government possession and control of the railways "until Congress shall otherwise order." I hope the Senate will insist upon fixing a time limit. I hope the American people will give this subject the attention it deserves before it becomes a national issue at the polls.

Mr. TOWNSEND. Mr. President, I propose an amendment to the bill and ask that it be printed. I shall offer it later, not particularly with the idea of securing its adoption as a substitute for the bill, but because the measure was prepared outside of the Committee on Interstate Commerce; it contains several prominent features to which the committee gave particular attention, and after having read and reread it I am satisfied, as every Senator will be satisfied who reads it, that it does not convey in the best manner possible even the ideas which we have attempted to adopt. For the purpose of calling attention to that fact I offer an amendment which I shall propose later on.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). The amendment will lie on the table and be printed.

Mr. SMITH of South Carolina. Mr. President, there being no other Senator who can go on this afternoon, as the chairman of the Committee on Agriculture and Forestry desires to run over some of the amendments in the Agricultural appropriation bill that will not be objected to, I ask unanimous consent that the pending bill be temporarily laid aside for that purpose.

Mr. SMOOT. Do I understand that the Senator from Oklahoma desires to have action taken on the amendments to the Agricultural appropriation bill?

Mr. GORE. I wish to take up the Agricultural appropriation bill and merely dispose of the unobjected amendments. Of

course, if any amendment is objected to by any Senator it will be passed over.

Mr. SMOOT. We shall have to have a quorum here, because otherwise we could not know what amendments would be objected to. It seems to me that it is so late in the day now that the Senator had better call up the bill at some other time.

Mr. GORE. I think there are about as many Senators present as we generally have for the consideration of appropriation bills. I will say that if any amendment is agreed to and any Senator not present desires to have it considered open later, of course there will be no objection to going back to it.

Mr. SMOOT. If the Senator desires to have the bill taken up and read without action upon any amendments, I have no objection to that course.

Mr. GORE. I shall ask to have the formal reading of the bill dispensed with, of course.

Mr. SMOOT. I do not think there will be any objection to that; but it seems to me it would be quite unfair to Senators who have not had any intimation that the bill was to be taken up to-day to take it up at this hour and act upon the amendments.

Mr. GORE. I will say to the Senator that there are very few amendments which will arouse any opposition whatever, and there is no reason why we should not spend an hour or an hour and a half to-day in considering unobjected amendments. Of course, if the Senator desires to have a quorum present, that recourse is open to any Senator who chooses to make the suggestion.

Mr. SMITH of South Carolina. I request unanimous consent that the pending bill, the unfinished business, be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the unfinished business is temporarily laid aside.

AGRICULTURAL APPROPRIATIONS.

Mr. GORE. I ask unanimous consent that the Senate proceed to the consideration of House bill 9054, the Agricultural appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. GORE. I ask that the formal reading of the bill be dispensed with.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent that the formal reading of the bill be dispensed with. Does he desire to have the bill read for amendment?

Mr. GORE. Mr. President, has the request that the formal reading of the bill be dispensed with been acceded to?

The PRESIDING OFFICER. It has not been. Is there objection to dispensing with the formal reading of the bill? The Chair hears none, and it is so ordered.

Mr. GORE. That request being acceded to, I now ask that the consideration of the bill be proceeded with, and that unobjected amendments of the committee be first considered.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Mr. President, I do not know what amendments are objected to, I will say to the Senator from Oklahoma. Does the Senator now ask that the bill be read for committee amendments?

Mr. GORE. I have asked, and I understand the request was acceded to, that the formal reading of the bill be dispensed with—I mean the reading of the bill from beginning to end, word for word. That has been dispensed with. I now ask to proceed with the consideration of committee amendments. If any Senator objects to the consideration of any amendment it will, of course, be passed over.

The PRESIDING OFFICER. The Senator, then, means that the bill shall be read for committee amendments?

Mr. GORE. Yes, sir. I understand that important amendments ought not to be disposed of in the absence of so many Senators.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

The Secretary proceeded to read the bill.

Mr. GORE. I merely wanted the committee amendments stated.

Mr. THOMAS. I think the bill should be read for amendment. Of course the formal reading of the bill has been waived, but not the reading of the bill for amendment.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

The Secretary resumed the reading of the bill.

Mr. GORE. Mr. President, it seems to me that the Senate has caught the meaning of the bill by the reading which has been had. I hope that we may now proceed with the consideration of committee amendments.

The PRESIDING OFFICER (Mr. KING in the chair). The Chair thinks that the Secretary is proceeding with the reading of the bill in an orderly and expeditious way and in conformity to the rule. Nine pages of the bill have already been read.

The reading of the bill was resumed.

The first amendment of the Committee on Agriculture and Forestry was, under the subhead "Bureau of Animal Industry," on page 13, line 19, after the word "authorities," to strike out "\$250,000" and insert "\$500,000: *Provided*, That hereafter the act approved May 29, 1884 (23 Stat. L., p. 31), be, and the same is hereby, amended to permit cattle which have reacted to the tuberculin test to be shipped, transported, or moved from one State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia for immediate slaughter, in accordance with rules and regulations prescribed by the Secretary of Agriculture"; so as to make the clause read:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State or county authorities, \$500,000: *Provided*, That hereafter the act approved May 29, 1884 (23 Stat. L., p. 31), be, and the same is hereby, amended to permit cattle which have reacted to the tuberculin test to be shipped, transported, or moved from one State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia for immediate slaughter, in accordance with rules and regulations prescribed by the Secretary of Agriculture.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. THOMAS. Mr. President, I notice that this amendment doubles the amount of the appropriation made by the bill as it came from the House, making the total \$500,000. This sum is to be devoted to the investigation of "the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread," and so forth.

It is a remarkable fact in connection with legislation of this kind that the more money we appropriate for these researches and investigations, the more there seems to be needed with the recurrence of every year; in other words, the investigation and the research work carried on under previous appropriations does not seem to have accomplished anything. If it has, then certainly it is unnecessary to appropriate more money for the same purpose. If it has not, then it would indicate that the investigations and the researches have proven abortive up to this time, and further attempts in that direction will be equally so.

The sum of \$250,000 is a small amount in these days of millions and billions, but still it is an item for which the Treasury must respond. I do not think we should now, unless it is absolutely necessary, increase the ordinary expenses of the Government in any direction; I think it wrong. We are spending more money than any nation engaged at war, and many times more money than we have ever been called upon to expend before. Certainly there should be some restriction upon the ordinary, every-day appropriations which affect our permanent expenditures and for which we would be obliged to legislate even in times of peace. I think this is as good a place as any to begin, and if \$250,000 is not enough for this particular purpose, at least to attempt to put up with it and make it go as far as possible, so that if it should appear that some additional amount is necessary we can cover it in some deficiency bill.

Mr. CHAMBERLAIN. May I interrupt the Senator from Colorado?

Mr. THOMAS. I yield.

Mr. CHAMBERLAIN. In that connection, while we are increasing the appropriation for this purpose, does the Senator understand that in line 22 we are throwing down the bars for interstate shipment of cattle that have tuberculosis?

Mr. THOMAS. No; I do not think that is designed. Of course, my objection goes to the amount of the appropriation rather than to the proviso which follows it.

Mr. CHAMBERLAIN. But if it is necessary to increase the appropriation are we not running the risk of increasing the spread of the disease? I am not sure that I understand it.

Mr. THOMAS. That depends upon what is meant by the expression "to permit cattle which have reacted to the tuberculin test to be shipped."

Mr. SMITH of South Carolina. Mr. President, if the Senator from Colorado will permit me, I desire to say that, if he will

read on, he will see that this interstate shipment is restricted to cattle which are to be slaughtered; that they are carried to the slaughter pen and are not allowed to be carried into another State, to be mingled with other cattle for dairy purposes.

Mr. THOMAS. The Senator from South Carolina will understand that my objection goes to the increased appropriation. With the effect of the proposed proviso I am not immediately concerned, although I think that the inquiry of the Senator from Oregon [Mr. CHAMBERLAIN] is most appropriate in connection with it.

Mr. CHAMBERLAIN. It seems to me, if the Senator please, that while we are increasing the appropriation to prevent the disease we are opening the bars to the spread of the disease by permitting the interstate shipment.

Mr. THOMAS. Of course, if that is so, then under all the circumstances the entire amendment should be rejected.

Mr. SMITH of South Carolina. If the Senator from Colorado will permit an interruption, let me call his attention to the fact that the Senator from New York [Mr. WADSWORTH], who seems to have been familiar with this disease and the conditions of its spreading, informed the committee that it was only when cows were confined in their stalls a larger part of the day on the ordinary dairy farm that this disease was found to be prevalent or to any appreciable extent contagious; that in the open country, where cattle graze all day practically, it has been discovered that the disease does not exist; but when they are condemned for the purpose of eradicating the disease they are taken to slaughter. The pure-food people claim that the little nodules formed by tuberculosis do not render the meat unfit for consumption, and that the cattle so infected may be shipped with impunity to the slaughter pen without any danger of spreading the contagion. The committee therefore thought that where a farmer had a herd which was condemned for milk purposes he should not be prohibited from getting the market value of the beef under the pure-food inspection; that if there was no danger of spreading the contagion by shipment he should be allowed to ship such cattle, specifically restricting such shipments for slaughtering purposes.

Mr. THOMAS. Mr. President, the experience of the Senator from New York upon that subject is quite considerable, and I should be disposed to accept his assurances in the absence of challenge on the part of some one who was equally well informed. I do not pretend to know anything about the matter. I cordially agree, however, with the Senator from Oregon [Mr. CHAMBERLAIN] that, if it should result in increasing the opportunity for the spread of the disease to be eradicated, the amendment ought to go out.

What I am concerned with is this constant tendency, in times of war as well as in times of peace, to increase our ordinary expenses. We ought to stop it.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. The Senator from Oklahoma. Mr. GORE. I wish to say that I agree entirely with the Senator from Colorado as to the general proposition he has just laid down. I think that we ought not to increase our ordinary expenditures, except where the necessity is urgent or overpowering.

The losses resulting in the United States annually from tuberculosis among cattle aggregate about \$25,000,000. There is an undoubted requisition upon the food supplies of this country, and it was hoped that by increasing this appropriation we might arrest the progress of this disease and might in great measure conserve the cattle of the country against the ravages of tuberculosis. That is the justification which caused the committee to report this amendment. Of course, it is for the Senate to determine whether or not that reason is sufficient; but the necessity for increased food undoubtedly exists, and we entertained the hope that this might augment the available food supply of the country.

Now, with respect to the objection raised by the Senator from Oregon [Mr. CHAMBERLAIN], I may say that this amendment does not change the law as to the availability for slaughter of cattle reactors to the tuberculin test. It only changes the law as to interstate shipments. I have here a letter from the department recommending this amendment, which I will ask to have read to the Senate in a moment. In support of such a change in the law this case is cited in particular: Iowa cattle are generally shipped for slaughter either to Omaha, St. Joe, or Kansas City. Cattle in Iowa, within sight of Omaha, which have been infected with tuberculosis can not be shipped across the river to Omaha for slaughter, but must be shipped to some point in Iowa. There certainly is no sufficient reason why that should be done. This amendment undertakes to accommodate that situation. I will ask to have the letter from the department on this subject read to the Senate.

Mr. THOMAS. I yielded the floor, I thought, for the purpose of a statement only.

Mr. GORE. I did not so understand.

Mr. THOMAS. I am perfectly willing, however, that the letter should be read now.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). In the absence of objection, the Secretary will read as requested. The Secretary read as follows:

The act of May 29, 1884, prohibits the interstate movement of diseased animals for any purpose. Animals which have been tested for tuberculosis and have reacted can not, under the law as it now stands, be shipped in interstate commerce to an official establishment for slaughter under Federal inspection. This situation very often works a hardship. For instance, the principal markets for Iowa cattle are Omaha, Nebr., or St. Joseph and Kansas City, Mo., but it is impossible to ship those which are affected with tuberculosis, even under appropriate regulations, across the border. Other instances could be cited where, because of State boundary lines, the tuberculin reactors can not legally be shipped to the nearest slaughtering point, which, in many cases, is only a few miles away. In order to avoid crossing the State line, and thus violating the act of 1884, they must be transported longer distances to slaughterhouses within the same State.

The department has received copies of resolutions recently adopted by the American Shorthorn Breeders' Association asking that the act of 1884 be amended so as to permit the return interstate of purebred animals which have reacted to the tuberculin test at destination. A number of State veterinarians, including those of Iowa and Kansas, also have recommended that the law be changed so as to authorize the interstate shipment to official establishments for slaughter of cattle which have reacted to the tuberculin test. At a conference of live-stock officials held in Chicago on December 3, 1917, it was the consensus of opinion that the law should be amended in these particulars.

The department knows of no good reason why the change suggested should not be made and hopes that the Senate Committee will give it favorable consideration. On the contrary, the officials of the Bureau of Animal Industry believe that the proposed amendment will be of definite assistance in the campaign against tuberculosis which has been inaugurated by the department. The movement of reactors would be permitted only in accordance with rules and regulations to be prescribed by the department, and every precaution would be taken, of course, to safeguard the live-stock industry.

It will be noted that a separate paragraph has been included in the present bill to cover the activities of the department relating to tuberculosis. This action was taken by the House committee in view of the growing importance of the work. Under the items "Inspection and quarantine" and "Diseases of animals" the department is now expending \$132,618 in efforts to control or eradicate tuberculosis. As indicated in the report of the House committee, the department believes that it can effectively use \$250,000, the amount included in the House bill, during the next fiscal year in the prosecution of the work.

Mr. THOMAS. Now, Mr. President, it will be observed that my objection goes to the increase of the appropriation for the purposes recited in the preceding lines. I do not understand that the proposed increase in the appropriation really affects the proviso that was inserted in the bill in connection with it and which might have been inserted in any other part of the bill with equal propriety.

Mr. GORE. There is no connection between the two.

Mr. THOMAS. There is no connection between the two. Now, if I thought that the doubling of this appropriation would result in a material increase in our meat food supply and that without it there would be no such increase, I would not oppose it for a moment; but when we consider that an appropriation for this specific purpose has been made year in and year out for an indefinite period of time and that the researches which were to be made concerning the disease to be eradicated have not resulted in any very material change in the situation, why should we at this time, when the Treasury is so hard put to it to meet the enormous expenditures of the Government, double the appropriation? I do not think we ought to do it.

Mr. WARREN. Mr. President—

Mr. THOMAS. I will yield to the Senator in a moment. I may say, in that connection, that there are other amendments which follow this which seem to me to be equally inexpedient at this time. I now yield to the Senator from Wyoming.

Mr. WARREN. Mr. President, the amount is already too small at \$500,000. In the committee I offered an amendment to add \$750,000 to the \$250,000 appropriated by the House, making the total \$1,000,000 instead of the \$500,000 which the amendment proposes to appropriate.

Mr. THOMAS. Perhaps my objection will result in an increase of the appropriation; I do not know. [Laughter.]

Mr. WARREN. It is a very important matter, and while the expenditure may not increase the number of cattle of the country, it will preserve and save a great many, and therefore increase the meat product.

The language added is that of the officials of the department. They evidently see the justice of it and ask us to change the law in regard to shipping across State lines of cattle which have reacted to the tuberculin test. I think the Senator from Colorado understands that, and I presume he needs no information from me; but now if there is the slightest indication of the presence of the germ cattle can not be shipped across a State line to a slaughtering establishment.

Mr. THOMAS. I did not raise any objection to that portion of the amendment; that objection was suggested by the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. WARREN. The disease, like the foot-and-mouth disease, is exceedingly destructive to cattle, and when its ravages reach the extreme, as has been the case sometimes in the past, there have been millions of cattle lost. It had been supposed that the disease was pretty nearly stamped out, but it has reappeared in a most virulent form. I therefore hope that neither the Senator from Colorado nor any other Senator will make any objection to the amount or to the language of the proviso, which has been added by way of amendment.

Mr. NORRIS. Mr. President—

Mr. THOMAS. Mr. President, I always like to agree with my friend from Wyoming, but I shall insist upon the appropriation made by the House. Of course, I know that tuberculosis of cattle is one of the diseases that are common to that class of live stock; I know that its eradication is very greatly to be desired; but I also know that up to this time there seems to be just as much apparent need for large appropriations for that purpose as there was 10 or 15 years ago. I am unable to perceive, therefore, the necessity for increasing it at this time, because I do not believe that by so doing the disease is going to be eradicated. I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, this particular amendment was added to the bill in the committee on my motion. I had no idea that the bill was going to be taken up to-day, because the railroad bill was before the Senate, and I am not prepared just at this moment to go into a full discussion of it.

Mr. GORE. I will say to the Senator from Nebraska that, if he so desires, the amendment can be passed over.

Mr. NORRIS. If there is going to be any serious objection to it, I should not like to have it acted on to-day. My own idea is that it is a very important amendment. As the Senator from Wyoming [Mr. WARREN] has suggested, this disease is reappearing, and cattlemen are anxious about it. The provision in the bill does not mean that the whole amount to be appropriated will necessarily be expended, but it is desirable to have the funds, so as to be ready for any emergency that may arise. In my judgment, at this time more than at any other, we ought to guard against anything that would interfere with the production of the meat supply of the country.

I have great sympathy for the Senator from Colorado in his opposition to large appropriations, and as a rule I fully agree with him. Of course, he is moved by the purest motives now in opposing this amendment; but, to my mind, there is no one other item of the bill of more importance, for the meat production of the country ought to be guarded jealously, and it will be guarded in one respect, at least, by this amendment.

The Senator from Wyoming said that he favored a much larger increase than was recommended by the committee in this particular amendment. I am satisfied from my conversation—

Mr. WARREN. Mr. President—

Mr. NORRIS. Just a moment. I am satisfied from my conversation with some of the cattle and meat producers of the country and from a large amount of correspondence I have had that there is a great deal of fear that unless we do make at least as liberal an appropriation as the committee has suggested we may later on, when it is too late, find that great damage has been done and the carrying on of the war has been really interfered with, because meat is one of the things of which there is a scarcity now.

Mr. THOMAS. Mr. President, before the Senator takes his seat will he inform me how many years we have appropriated money "for researches concerning the cause of the disease, its modes of spread, and methods of treatment"?

Mr. NORRIS. No; I can not answer the question directly. I suppose such appropriation has been made for a good many years and probably will continue to be made; but one of the difficulties in this case is that this disease, for instance, may break out in the East among the dairy herds, and as it is contagious it may then shift across the country and whole herds become infected with it. I assume that the department will exercise proper care and judiciously handle the money and not use it unless it is needed. It may be that it will not be needed; but I should like to have it where it can be used to meet whatever contingency may arise during the coming fiscal year.

Mr. THOMAS. Has the Senator any doubt that if this appropriation is made the department will exhaust it all?

Mr. NORRIS. Yes.

Mr. THOMAS. And that we will also be required to meet a deficiency caused by an inadequate appropriation?

Mr. NORRIS. Oh, I do not look for that. I do not think the Senator has any reason to believe that that will occur.

Mr. GORE. Mr. President, I will say that the appropriation bill for the current fiscal year carries a million dollars for the foot-and-mouth disease. The pending bill carries a million dollars for the foot-and-mouth disease. My understanding is that none of that will be used during the current year. Of course it is the hope of all of us that none will be used for the next fiscal year.

Mr. THOMAS. Why appropriate it, then, unless you are going to use it on two-legged animals instead of four-legged animals?

Mr. GORE. It is a sort of insurance fund.

Mr. NORRIS. I think so.

Mr. GORE. When the disease breaks out it is so virulent and violent that it must be met at once, and has to be stamped out at once, else the losses are out of all proportion to the amount that would have been required to stop it in its incipency. I do not think it is a thing that we ought to dally with, particularly in times of this sort.

This is only 1 per cent of the estimated annual loss—\$25,000,000. This increase is \$250,000. If we save half a million dollars' worth of cattle by this increased appropriation of \$250,000 we are still gainers by 200 per cent. If we should save the loss of several millions, of course the gain would be proportionate; and it seems to me that in times of this sort it is erring at least on the side of safety and conservation to have a provision of this sort in the bill.

Mr. THOMAS. Mr. President, it is quite evident that my objection may receive one vote. I doubt very much, from the trend of this discussion, that it will be very greatly augmented.

Mr. KENYON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. I do.

Mr. KENYON. I want to suggest to the Senator from Colorado, in a kindly spirit and in the interest of economy, that he had better not stir up this matter, because the committee voted at one time to make the appropriation \$750,000.

Mr. THOMAS. I have just stated that my objection probably would result in an increase of the appropriation.

Mr. KENYON. I think the Senator had better be careful. It might.

Mr. THOMAS. Well, it will not be the first time.

Mr. KENYON. It was only because of the protest that members of the committee made, saying that they would fight the matter on the floor, that the amount was put at \$500,000.

Mr. THOMAS. Mr. President, in the last five or six years I have made a number of specific objections to items of increase in appropriations; and it is somewhat peculiar that in each instance almost every Senator who has interrupted me or spoken upon the matter has agreed with me upon the general proposition that we should economize, but they have always insisted that that was not the proper point to begin. Now, where are we going to begin unless we begin somewhere?

Mr. WARREN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. THOMAS. I do.

Mr. WARREN. Mr. President, the Senator from Colorado is always diligent in the line of economy, but of course he recognizes and must recognize that matters do change from time to time. We must recognize that some things that perhaps he may have opposed, that others have opposed, and that I have opposed along military lines it was not well to oppose at that time. We should have been better prepared.

The matter before the Senate at this time is largely a matter of preparation. We have here, on page 88, concerning the eradication of foot-and-mouth disease, in case of an emergency arising, and so forth, an appropriation of \$1,000,000. There have been appropriations of from \$1,000,000 to \$2,500,000 annually for that purpose; and while one year there had to be a large deficiency appropriation after the first appropriation, in other years the appropriation has not been used in any large proportion, but it is there as an insurance.

Next to the foot-and-mouth disease, and almost as destructive, comes this matter of tuberculosis. I have no idea that the \$500,000 would be expended, unless the disease develops a strong and virulent increase, and I did not have any idea when I asked that it might go to a million dollars that it would be expended unless we should receive an unexpected call to stamp out something that got so great a start that, unless immediately checked, even a million dollars would be but a moiety toward relief. I believe this is a direct matter of insurance, and, in view of the dangers that are surrounding us, it is not too much. I hope the Senate will take that view of it—that it is a matter of insurance—and will stand by the entire amount.

Mr. THOMAS. Mr. President, I am inclined to believe, from the discussion, that the Senator's hope will be realized. The Senator says that my experience ought to teach me, and it certainly does, that there is a change in many things as time goes by.

Mr. WARREN. The Senator must not apply that to himself alone, but to all of us.

Mr. THOMAS. I understand; but I notice that there is one thing that does not change, and that is the tendency always to increase House appropriations when bills come over to the Senate. That is one of the rules which, like time and tide, goes on forever.

Mr. WARREN. Has the Senator noticed how few changes we have made this time?

Mr. THOMAS. Yes; and I think the committee are entitled to considerable credit for not making as many as they generally do.

Mr. WARREN. In an experience of more than 20 years I have never known an Agricultural bill to come to the Senate with so few changes and so few additions as are made in this one.

Mr. THOMAS. Yes; I want to give the committee credit for that, and now I want to help them, I want to encourage them, by making some more reductions. As I have said, we should consider the prevailing state of the Public Treasury, the enormity of our public expenditures, and the vast increase of taxation. Senators, after a while you are going to hear from the poor devil who pays the taxes, and when he does speak he is going to speak in tones that will reverberate across the entire continent. He is a very patient animal, but there is a limit even to his patience; and as far as I can I want to demonstrate to him that we have saved him money wherever it is possible, especially in the matter of our ordinary expenditure.

While I am on my feet, Mr. President—for I am not going to stand here alone and make objections specifically to all these items—I want to call attention to an amendment here, on page 81:

To enable the Secretary of Agriculture to install an experimental flour mill, baking and other apparatus, in order to investigate the milling and baking qualities of wheat and other grains, including the payment of rent in the city of Washington, \$50,000.

Why, Mr. President, civilized people at least, and perhaps some who are uncivilized, have been experimenting with flour mills, with baking, and with apparatus for baking ever since the days when Abraham lived on the plains of Mesopotamia. If there is anything connected with the preparation of wheat flour as an edible substance by way of cookery or baking that has not been discovered by private enterprise and experiment, in God's name how are we going to find it out by building a mill here in the city of Washington and paying some other landlord \$50,000 rent? To my mind, it would be so extraordinary in times of peace as to require comment; but now, when we have plenty of money, evidently, we seriously propose to expend \$50,000 for experimenting in something that has been the subject of experiment for centuries. That, too, I suppose, will offer an instance where, while economy is good, we ought not to begin there.

If this is going to pass, let me suggest that an exception should be made of the operation of this mill on "wheatless days," because otherwise you may get into trouble with the Food Administration.

Mr. GORE. Mr. President, I appreciate both the good sense and the humor of the Senator from Colorado.

Mr. THOMAS. I do not think the Senator will vote with him.

Mr. GORE. I merely want to waive the discussion of this flour mill at this time. I do not want the Senator to conjure up too many—

Mr. THOMAS. I mention it now because I do not want to take the floor again if I can avoid it. I want to say now what I would say to-morrow, or later on to-day, when that amendment comes up.

Mr. GORE. Mr. President, when the amendment just referred to, touching a flour mill, comes up I think there will be argument at least tending to justify its presence in the bill.

Mr. THOMAS. Oh, I have not a particle of doubt of that.

Mr. GORE. I will merely make one observation at this time. The present method of grading wheat is based upon other points and other facts and factors than the flour-producing quality of the grain. It is the belief of the farmers of this country that the grades of grain ought to be based on the actual flour-producing capacity of the grain. It is their belief that it would save millions of dollars annually to the farmers of this country which they now lose merely on points of taste and fancy under the more or less artificial system of grain grading; and it is in the belief that that might be true that this appropriation is

incorporated in the bill. It is in the interest of the farmer and in the interest of the agricultural classes of this country. But, as I say, I do not wish to thrash out that subject at this time. It was recommended by the department, and adopted upon the very urgent recommendation of the department.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I have yielded to the Senator from Oklahoma. If he has finished, I of course yield to the Senator from North Dakota.

Mr. GORE. I have finished.

Mr. GRONNA. I do not want to interrupt the Senator. I thought the Senator was through.

Mr. THOMAS. Oh, I am perfectly willing to be interrupted.

Mr. GRONNA. I simply want to say for the information of the Senator from Colorado that only to-day I was asked by a delegation from three States—North and South Dakota and Minnesota—to go with them to the Secretary of Agriculture in the hope of remedying an evil which, instead of having been remedied, has been growing worse, namely, what the chairman of the committee has just stated, the grading of grain. If I had known that the Agricultural bill would be up this afternoon I should have had my samples of grain here, and I could have demonstrated to the Senator from Colorado that this is not a foolish thing.

I have in my office, Mr. President, a sample of grain grown on my own farm. The wheat is conceded to be a No. 1 hard wheat, but it contains 4.3 per cent of rye; and the Senator from Colorado will be surprised to learn that on account of that 4.3 per cent of rye it is graded No. 5 and it reduces the price 24 cents a bushel.

Mr. THOMAS. I assume the Senator knows that to be so?

Mr. GRONNA. Why, certainly I know it to be so.

Mr. THOMAS. Yes. It was not necessary, in order for the Senator to ascertain the truth of that fact, to build a mill here in Washington, at an expense of \$50,000, for baking and other apparatus.

Mr. GRONNA. I was just coming to that. This delegation, which consists of the railroad commissioners of these three States, together with the appeal board of the State of Minnesota, deems it important enough to come here regarding it, and the Secretary of Agriculture said to this delegation to-day that he knew of no other way of making a just and honest standard than by a milling test. The Senator knows, of course, that providing this mill does not require the erection of buildings. The appropriation is simply for the purchase of machinery, which may be installed in a very small room. We have such a mill in the State of North Dakota in our agricultural department; but, of course, it can not be expected that the Secretary of Agriculture will take the word of the faculty of the Agricultural College of North Dakota.

Mr. THOMAS. He might go farther and fare worse.

Mr. GRONNA. The only way in which Mr. Brand, who is now fixing these standards, can have the information will be to have the machinery bought for grinding this wheat and the machinery for baking the flour, so that the producer as well as the consumer can get an honest deal. It is for the purpose of aiding the Agricultural Department in standardizing the grain.

I will say to the Senator that we raise in my State from 100,000,000 to 150,000,000 bushels of wheat annually. Taking the sample which I showed to the Agricultural Committee on last Saturday, and which I showed to the Secretary of Agriculture to-day, we have lost from 24 to 25 cents a bushel. That is a greater loss than the farmers of my part of the country are willing to stand.

Mr. THOMAS. If the Senator will pardon an interruption, I had labored under the impression that the improper grading was due to the manipulations of certain chambers of commerce and elevator men in other sections of the country.

Mr. GRONNA. That is true.

Mr. THOMAS. Not to the fact that the farmers and the Agricultural Department were not aware of the nutritious qualities embodied in the grain itself, a test of which must be made before a proper grading can be established.

Mr. GRONNA. That is true. That has been maintained, and it is true; but, if the Senator will permit me, under the standardization act which was passed here a year ago it is possible, if he will say 3 per cent of durum wheat is mixed with the best quality of hard wheat that it will reduce the grade of that wheat not one grade but three grades. There is not a miller in the United States who will not testify that the product of that wheat, although it may be mixed either with this durum wheat or with winter wheat is absolutely as good as if it were not mixed; and yet the farmer has to sell his grain for that reduced price.

The Senator will remember that when we passed the standardization act I objected to the words "foreign matter" going in. Those words, "foreign matter," apply not to what we call dockage, such as weed seeds, but to other grains. If there is rye in the wheat, the rye is foreign matter. If there is barley in the wheat, the barley will be foreign matter to the wheat, of course; and the farmer is not only docked for that foreign matter, and gets nothing whatever for it, but it reduces the price of his product.

Mr. THOMAS. I think there is no doubt about that, but I do not perceive how the proposed amendment either helps or hurts that situation. I think the Senator's objection to the insertion of the word "foreign" in the section of the law to which he refers should have been sustained, and that would have done away with the evil of which he now complains.

Mr. GRONNA. I want to assure the Senator in all seriousness that among these men who appeared before the Secretary of Agriculture to-day, and who are to appear before the President of the United States at 5.30 to-day on this very question, there is not one but that approved of this very provision in the bill. They are men who do know something about wheat, and they do know something about how the farmers of the Northwest have been robbed under the system which we have had.

Mr. THOMAS. I think there is no doubt about the fact that they have been robbed. I have sympathized with the fight which they have made, and I think that the legislation which we adopted tended—perhaps not as extensively as it should, but nevertheless tended—to cure that evil; and I am ready to vote for any additional legislation which will cure it. But, with all due regard to the distinguished gentlemen who have come here and who favor this measure, I do not see how the establishment of a bakery here is going to interfere with or affect, beneficially or otherwise, the things which they wish to accomplish. I would as soon expect this amendment to provide for a corps of officeholders to eat the bread and test its efficiency as it is baked. It would be as much a necessary part of the proposed remedy as the things which the bill does contain.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, if the object that the Senator thinks has been attained had in fact been attained, I do not think for a minute we would have voted to put in this amendment; but, as I understand, the object here was this, and if I am not correct the Senator from North Dakota will correct me.

Grain is now classified under certain standards. The price is fixed according to those standards. His contention and the view of the committee, as I understood it, was that the wheat that brings the lesser price on account of certain physical appearances has as great No. 1 flour-producing qualities as, and perhaps better than, some that are classified in the markets as higher grades.

Mr. THOMAS. I have not a particle of doubt about it.

Mr. SMITH of South Carolina. Now, the Government has standardized these grades of grain under the bill that we previously passed. The farmer's wheat is bought and sold upon its physical appearance. The farmers now ask that \$50,000 be appropriated to enable the Government, in the interest of fair dealing, to grind and test under its own supervision samples of wheat of these standards taken from the great grain country or wherever you see fit to take them from, so that the Government may know of its own knowledge, by actual experiment here, where it has fixed the standards, whether or not the contention of the farmer is true that this wheat that is graded No. 2 is just as good as No. 1, to all intents and purposes, in bread-making qualities.

Mr. THOMAS. And the appropriation bill of 1919, Mr. President, will provide perhaps \$100,000 for this identical purpose, and that of the next succeeding year will probably provide \$250,000, and the next will provide for these baking establishments in all the agricultural schools of the States of the West, and we will have baking and milling establishments for corn and for barley and for rye and for all the other grains that are nutritious. This is simply the intrusion of the camel's head into the tent once more. It is going to pass, however. There is no question about that.

Mr. GRONNA. Mr. President, may I interrupt the Senator?

Mr. THOMAS. Certainly.

Mr. GRONNA. I want to assure the Senator that there will be no demand for any increase or for any extra appropriation. This is simply to provide a flour mill for scientific purposes, to be established in a little room which the Agricultural Department already has. It may not cost \$50,000, but the Secretary thought he ought to have \$50,000; and he said to-day to this committee: "I do not know of any other way in which to really ascertain the value and fix the standards than to adopt the amendment which I sent to the Agricultural Committee on last Friday or Saturday."

Mr. THOMAS. Oh, I know the Senator thinks that, and I do not think there will be any increase of appropriation or any continued appropriation, as far as he is concerned, but we must judge of these things by the history of similar innovations in our legislation in the past.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I do.

Mr. SMOOT. I want to ask the Senator if the object of the mill is to change the grade of the wheat? Is that the object?

Mr. GRONNA. It is to enable those who fixed the standards to establish honest standards. That is the object.

Mr. SMITH of South Carolina. That is it.

Mr. GORE and Mr. PAGE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Oklahoma?

Mr. THOMAS. As was stated by a Senator here to-day, the Senator from Minnesota [Mr. KELLOGG], I am perfectly willing to yield to one Senator, but I can not yield to three. I yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I merely wanted to say that, as I understand it, the contention of the farmer is that we might just as well classify gold ore by its exterior appearance and by extraneous circumstances, and without reference to its gold content, as to classify grain by its exterior appearance or extraneous circumstances rather than by its flour-producing qualities.

Mr. THOMAS. I think that is true, but we classify gold by sampling it in private. We do not call upon the Government of the United States, in its Agricultural or other appropriation bills, to sample our gold ore.

Mr. GORE. I thought we had assay offices all over the country.

Mr. THOMAS. You have assay offices, but they do not sample ore. They purchase ore.

Mr. GORE. I thought they also tested it.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I do.

Mr. GRONNA. May I say to the Senator from Colorado that the Government of the United States now fixes the price upon the grain of the farmers by its standardization?

Mr. THOMAS. I understand that is true. My impression is that corn is now worth more than wheat, in some parts of the country, because of that fact. That is, they standardize wheat, but they do not standardize corn.

Mr. GORE. Relatively it is worth more everywhere, and absolutely in some places.

Mr. PAGE. Mr. President—

Mr. THOMAS. I will yield to the Senator from Vermont in a moment. Of course, this bill is going to require the employment of some more officeholders; and there never was an officeholder on earth, and never will be, including Senators of the United States, who will not do all he can while in office to make himself indispensable, and therefore secure of a life job. That of itself is going to result in repeated appropriations for this identical purpose, and for the other grains, as I have stated heretofore.

I now yield to the Senator from Vermont.

Mr. PAGE. Mr. President, I simply wanted to ask if the statement made by the Senator from North Dakota did not indicate that there was a wrong being done somewhere when wheat was classified at a grade which brings 24 or 25 cents a bushel less than standard No. 1 wheat when the real difference, perhaps, was not more than 4 or 5 cents a bushel?

Mr. THOMAS. There is no question but that the farmers of the Senator's State and other States have been robbed for the last quarter of a century through false standardization of their grain. There is no doubt about that.

Mr. PAGE. Is there not some way to remedy that wrong?

Mr. THOMAS. We have tried to do it by legislation, and I think we have fairly well succeeded. If our legislation is defective, let us remedy it. I am willing to vote for any system of standardization that the Senators from the wheat States of the Union desire.

Mr. GRONNA. Mr. President, if the Senator will pardon me, the consumer pays the highest price for the finished product—the flour. We know that.

Mr. THOMAS. There is no doubt about that.

Mr. GRONNA. If this difference in price were saved to the consumer, we would not complain; but we know absolutely that while this reduction is being made to the producer the consumer pays a price based upon the highest value of the grain.

Mr. THOMAS. Unquestionably.

Mr. PAGE. Is it not possible for the Senator from North Dakota to suggest some remedy for that?

Mr. GRONNA. This is a suggestion that will remedy it.

Mr. THOMAS. If I could believe that, Mr. President, I would not make any objection to it; but I am unable to perceive how it is going to affect it a particle. Of course that may be due to my ignorance and obtuseness. Probably it is.

Mr. GORE. Mr. President—

Mr. THOMAS. I yield to the Senator from Oklahoma.

Mr. GORE. Without meaning to interrupt the Senator, I merely want to say that I think the Senate has got to milling on this matter a little too soon, and I hope we will hark back to the item with regard to tuberculosis.

Mr. THOMAS. I think perhaps it is better to change from baking wheat to consumption.

The PRESIDING OFFICER. The question is upon the committee amendment, on pages 13 and 14, which increases the appropriation from \$250,000 to \$500,000, with a proviso.

Mr. THOMAS. Mr. President, I do not know that I am proceeding in parliamentary fashion; but if it is in order I wish to strike out the sum of \$500,000 provided by the amendment, and I make a motion to that effect.

Mr. SMOOT. That object can be attained by simply disagreeing to the amendment.

Mr. MARTIN. I suggest that the Senator simply ask to have the amendment rejected.

Mr. NORRIS. Yes; just vote "no" on the amendment.

Mr. THOMAS. I accept the suggestion that we disagree to the amendment, by which I mean the figures "\$500,000." I do not object to the remaining part of the proviso. It does not carry an appropriation this year, but it will next year.

The PRESIDING OFFICER. Does the Senator desire the committee amendment divided?

Mr. THOMAS. I do not want to suggest the absence of a quorum, so I would suggest that this matter go over until tomorrow.

Mr. GORE. Very well, Mr. President. If the Senator desires, I am willing to have that course taken.

Mr. THOMAS. I have reference, of course, to the part of the amendment which precedes the colon. There are really two amendments.

RAILROAD CONTROL.

Mr. SMITH of South Carolina. I ask that the unfinished business, Senate bill 3752, be laid before the Senate.

The PRESIDING OFFICER. The Chair lays the unfinished business before the Senate.

The SECRETARY. A bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 14, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 13, 1918.

TARIFF COMMISSION.

Thomas W. Page, of Virginia, to be a member of the United States Tariff Commission, vice Daniel C. Roper, resigned.

COAST AND GEODETIC SURVEY.

Leo C. Wilder, of Vermont, to be junior hydrographic and geodetic engineer (by promotion from aid), vice W. H. Kearns, promoted, and

Aaron G. Katz, of New York, to be aid (by promotion from deck officer), vice G. H. Durgin, promoted, in the United States Coast and Geodetic Survey, Department of Commerce.

JUSTICES OF THE SUPREME COURT, TERRITORY OF HAWAII.

James L. Coke, of Honolulu, Hawaii, to be chief justice of the Supreme Court, Territory of Hawaii, vice A. G. M. Robertson, resigned. (Mr. Coke is now serving as associate justice of that court.)

Samuel B. Kemp, of Honolulu, Hawaii, to be associate justice of the Supreme Court, Territory of Hawaii, vice James L. Coke, nominated to be chief justice of that court. (Mr. Kemp is now serving as second judge of the Circuit Court, First Circuit, Territory of Hawaii.)

JUDGES OF THE CIRCUIT COURT, TERRITORY OF HAWAII.

William S. Edings, of Honolulu, Hawaii, to be second judge of the Circuit Court, First Circuit, Territory of Hawaii, vice Samuel B. Kemp, nominated to be associate justice of the Supreme Court, Territory of Hawaii. (Mr. Edings is now serving as judge of the Circuit Court, Second Circuit, Territory of Hawaii, at Wailuku, Maui.)

L. L. Burr, of Honolulu, Hawaii, to be judge of the Circuit Court, of the Second Circuit, Territory of Hawaii, vice William S. Edings, nominated to be second judge of the Circuit Court, First Circuit, Territory of Hawaii.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

To be first lieutenants.

First Lieut. William Charles Munly, Medical Reserve Corps, with rank from January 25, 1918.

First Lieut. Albert Elwood Pagan, Medical Reserve Corps, with rank from January 26, 1918.

First Lieut. Forrest Pitt Baker, Medical Reserve Corps, with rank from January 27, 1918.

First Lieut. Cole Blease Gibson, Medical Reserve Corps, with rank from January 28, 1918.

First Lieut. George William Rice, Medical Reserve Corps, with rank from January 29, 1918.

Capt. Royal Kendall Stacey, Medical Reserve Corps, with rank from January 30, 1918.

First Lieut. William Campbell Colbert, Medical Reserve Corps, with rank from January 31, 1918.

First Lieut. Ernest Leroy Wilson, Medical Reserve Corps, with rank from February 1, 1918.

First Lieut. William Stephen Culpepper, Medical Reserve Corps, with rank from February 2, 1918.

First Lieut. Charles Roland Glenn, Medical Reserve Corps, with rank from February 3, 1918.

First Lieut. Gordon Adams Clapp, Medical Reserve Corps, with rank from February 4, 1918.

First Lieut. Clive Paul Mueller, Medical Reserve Corps, with rank from February 5, 1918.

FIELD ARTILLERY ARM.

To be second lieutenant with rank from date of appointment.

Second Lieut. Ansel G. Wineman, Philippine Scouts.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

To be first lieutenants with rank from August 30, 1917.

Second Lieut. Dean I. Piper, Coast Artillery Corps, vice First Lieut. Homer A. Bagg, promoted.

Second Lieut. Otto M. Jank, Coast Artillery Corps, vice First Lieut. Cherubusco Newton, jr., promoted.

Second Lieut. Herman U. Wagner, Coast Artillery Corps, vice First Lieut. Walter Smith, promoted.

Second Lieut. Philip S. Day, Coast Artillery Corps, vice First Lieut. Hugh J. Knerr, promoted.

Second Lieut. George W. Hirsch, Coast Artillery Corps, vice First Lieut. George F. Humbert, promoted.

Second Lieut. Forrest C. Shaffer, Coast Artillery Corps, vice First Lieut. Reuben N. Perley, promoted.

Second Lieut. William R. Deeble, jr., Coast Artillery Corps, vice First Lieut. John H. Birdsall, promoted.

Second Lieut. Frank F. Reed, Coast Artillery Corps, vice First Lieut. Levin H. Campbell, jr., promoted.

Second Lieut. John W. Coffey, Coast Artillery Corps, vice First Lieut. Harold De F. Burdick, promoted.

Second Lieut. Frank C. Meade, Coast Artillery Corps, vice First Lieut. Philip G. Blackmore, promoted.

Second Lieut. Lawrence Dwight, Coast Artillery Corps, vice First Lieut. George I. Thatcher, promoted.

Second Lieut. Everett T. Brown, Coast Artillery Corps, vice First Lieut. Edwin F. Silkman, promoted.

Second Lieut. Clyde H. Morganthaler, Coast Artillery Corps, vice First Lieut. Cedric M. S. Skene, promoted.

Second Lieut. Willard M. Hall, Coast Artillery Corps, vice First Lieut. Edward Montgomery, promoted.

Second Lieut. Tracy C. Dickson, jr., Coast Artillery Corps, vice First Lieut. Stewart W. Stanley, promoted.

Second Lieut. Robert W. Hasbrouck, Coast Artillery Corps, vice First Lieut. Roy S. Atwood, promoted.

Second Lieut. Howard P. Faust, Coast Artillery Corps, vice First Lieut. Samuel F. Hawkins, promoted.

Second Lieut. John T. de Camp, Coast Artillery Corps, vice First Lieut. Charles Thomas-Stahle, promoted.

Second Lieut. Wallace D. Collins, Coast Artillery Corps, vice First Lieut. Edwin J. O'Harra, promoted.

Second Lieut. Sargent P. Huff, Coast Artillery Corps, vice First Lieut. Alexander C. Sullivan, promoted.

Second Lieut. William H. Donaldson, jr., Coast Artillery Corps, vice First Lieut. Harold B. Sampson, promoted.

Second Lieut. Henry M. Black, Coast Artillery Corps, vice First Lieut. Clarence L. Gilbert, promoted.

Second Lieut. Willard D. Murphy, Coast Artillery Corps, vice First Lieut. Arthur E. Rowland, promoted.

Second Lieut. Council B. Palmer, Coast Artillery Corps, vice First Lieut. Lee R. Watrous, jr., promoted.

Second Lieut. John C. Hawkins, Coast Artillery Corps, vice First Lieut. Charles A. French, promoted.

TEMPORARY PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be lieutenant colonel with rank from July 9, 1917.

Maj. Lewis H. Band, Corps of Engineers, vice Lieut. Col. Edgar Jadwin, appointed colonel in the National Army.

To be lieutenant colonels with rank from July 13, 1917.

Maj. Edward M. Markham, Corps of Engineers, vice Lieut. Col. Herbert Deakne, appointed colonel in the National Army.

Maj. Thomas H. Jackson, Corps of Engineers, vice Lieut. Col. William P. Wooten, appointed colonel in the National Army.

To be lieutenant colonel with rank from July 14, 1917.

Maj. George B. Pillsbury, Corps of Engineers, vice Lieut. Col. Harry Burgess, appointed colonel in the National Army.

To be lieutenant colonel with rank from July 18, 1917.

Maj. Gustave R. Lukesh, Corps of Engineers, vice Lieut. Col. James B. Cavanaugh, appointed colonel in the National Army.

To be lieutenant colonels with rank from August 5, 1917.

Maj. John R. Slattery, Corps of Engineers, vice Lieut. Col. William Kelly, appointed colonel in the National Army.

Maj. Albert E. Waldron, Corps of Engineers, vice Lieut. Col. Edward H. Schulz, appointed colonel in the National Army.

Maj. Francis A. Pope, Corps of Engineers, vice Lieut. Col. John C. Onkes, appointed colonel in the National Army.

Maj. Gilbert A. Youngberg, Corps of Engineers, vice Lieut. Col. Sherwood A. Cheney, appointed colonel in the National Army.

Maj. Edward N. Johnston, Corps of Engineers, vice Lieut. Col. Frank C. Boggs, appointed colonel in the National Army.

Maj. Clarence O. Sherrill, Corps of Engineers, vice Lieut. Col. George B. Pillsbury, appointed colonel in the National Army.

Maj. Ernest D. Peek, Corps of Engineers, vice Lieut. Col. Lytle Brown, appointed colonel in the National Army.

Maj. George R. Spalding, Corps of Engineers, vice Lieut. Col. Harley B. Ferguson, appointed colonel in the National Army.

Maj. Elliott J. Dent, Corps of Engineers, vice Lieut. Col. James A. Woodruff, appointed colonel in the National Army.

Maj. William P. Stokey, Corps of Engineers, vice Lieut. Col. John R. Slattery, appointed colonel in the National Army.

Maj. Wildurr Willing, Corps of Engineers, vice Lieut. Col. Clarence O. Sherrill, appointed colonel in the National Army.

Maj. William A. Mitchell, Corps of Engineers, vice Lieut. Col. George R. Spalding, appointed colonel in the National Army.

Maj. Mark Brooke, Corps of Engineers, vice Lieut. Col. William J. Barden, appointed colonel in the National Army.

Maj. Laurence V. Frazier, Corps of Engineers, vice Lieut. Col. Edward M. Markham, appointed colonel in the National Army.

Maj. Harold C. Fiske, Corps of Engineers, vice Lieut. Col. Francis A. Pope, appointed colonel in the National Army.

Maj. Max C. Tyler, Corps of Engineers, vice Lieut. Col. Robert R. Raymond, appointed colonel in the National Army.

Maj. Ulysses S. Grant, 3d, Corps of Engineers (General Staff Corps), vice Lieut. Col. Earl I. Brown, appointed colonel in the National Army.

Maj. William H. Rose, Corps of Engineers, vice Lieut. Col. Ulysses S. Grant, 3d, retained in the General Staff Corps.

Maj. Lewis M. Adams, Corps of Engineers, vice Lieut. Col. James P. Jervey, appointed colonel in the National Army.

Maj. William D'A. Anderson, Corps of Engineers, vice Lieut. Col. Charles Keller, promoted.

Maj. Joseph H. Earle, Corps of Engineers, vice Lieut. Col. Meriwether L. Walker, appointed colonel in the National Army.

Maj. Thomas M. Robins, Corps of Engineers, vice Lieut. Col. William B. Ladue, appointed colonel in the National Army.

Maj. Roger D. Black, Corps of Engineers, vice Lieut. Col. Clarke S. Smith, appointed colonel in the National Army.

Maj. Theodore H. Dillon, Corps of Engineers, vice Lieut. Col. Spencer Cosby, promoted.

Maj. De Witt C. Jones, Corps of Engineers, vice Lieut. Col. William D. Connor, appointed colonel in the National Army.

Maj. Ernest Graves, Corps of Engineers, vice Lieut. Col. George M. Hoffman, appointed colonel in the National Army.
Maj. Francis B. Wilby, Corps of Engineers, vice Lieut. Col. James F. McIndoe, promoted.

Maj. Clarence S. Ridley, Corps of Engineers, vice Lieut. Col. Jay J. Morrow, promoted.

Maj. Alvin B. Barber, Corps of Engineers, vice Lieut. Col. George P. Howell, promoted.

Maj. Roger G. Powell, Corps of Engineers, vice Lieut. Col. Frederick W. Altstaetter, promoted.

Maj. John N. Hodges, Corps of Engineers, vice Lieut. Col. Lewis H. Rand, promoted.

Maj. James J. Loving, Corps of Engineers, vice Lieut. Col. Ernest D. Peek, appointed colonel in the National Army.

Maj. Edward D. Ardery, Corps of Engineers, vice Lieut. Col. Elliott J. Dent, appointed colonel in the National Army.

Maj. James G. Steese, Corps of Engineers, vice Lieut. Col. Wildurr Willing, appointed colonel in the National Army.

Maj. Roger G. Alexander, Corps of Engineers, vice Lieut. Col. William A. Mitchell, appointed colonel in the National Army.

Maj. James A. O'Connor, Corps of Engineers, vice Lieut. Col. Edward N. Johnston, appointed colonel in the National Army.

Maj. Lewis H. Watkins, Corps of Engineers, vice Lieut. Col. Amos W. Fries, appointed colonel in the National Army.

Maj. Gilbert E. Humphrey, Corps of Engineers, vice Lieut. Col. Charles W. Kutz, appointed colonel in the National Army.

Maj. Richard Park, Corps of Engineers, vice Lieut. Col. Albert E. Waldron, appointed colonel in the National Army.

Maj. Daniel I. Sultan, Corps of Engineers, vice Lieut. Col. Thomas H. Jackson, promoted.

Maj. Glen E. Edgerton, Corps of Engineers, vice Lieut. Col. Gustave R. Lukesh, promoted.

To be major with rank from July 9, 1917.

Capt. Clarence L. Sturdevant, Corps of Engineers, vice Maj. Lewis H. Rand, promoted.

To be majors with rank from July 13, 1917.

Capt. Earl J. Attkisson, Corps of Engineers, vice Maj. Edward M. Markham, promoted.

Capt. Richard T. Colner, Corps of Engineers, vice Maj. Thomas H. Jackson, promoted.

To be major with rank from July 14, 1917.

Capt. Robert S. A. Dougherty, Corps of Engineers, vice Maj. George B. Pillsbury, promoted.

To be major with rank from July 18, 1917.

Capt. Stuart C. Godfrey, Corps of Engineers, vice Maj. Gustave R. Lukesh, promoted.

To be majors with rank from August 5, 1917.

Capt. Francis C. Harrington, Corps of Engineers, vice Maj. John R. Slattery, promoted.

Capt. Cleveland C. Gee, Corps of Engineers, vice Maj. Albert E. Waldron, promoted.

Capt. John M. Wright, Corps of Engineers, vice Maj. Francis A. Pope, promoted.

Capt. John R. D. Matheson, Corps of Engineers, vice Maj. Gilbert A. Youngberg, promoted.

Capt. William H. Sage, jr., Corps of Engineers, vice Maj. Edward N. Johnston, promoted.

Capt. Charles J. Taylor, Corps of Engineers, vice Maj. Clarence O. Sherrill, promoted.

Capt. Edwin H. Marks, Corps of Engineers, vice Maj. Michael J. McDonough, appointed colonel in the National Army.

Capt. Earl North, Corps of Engineers, vice Maj. Curtis W. Otwell, appointed colonel in the National Army.

Capt. Albert H. Acher, Corps of Engineers, vice Maj. Ernest D. Peek, promoted.

Capt. Gilbert Van B. Wilkes, Corps of Engineers, vice Maj. George R. Spalding, promoted.

Capt. John C. H. Lee, Corps of Engineers, vice Maj. Paul S. Bond, appointed colonel in the National Army.

Capt. Frank S. Besson, Corps of Engineers, vice Maj. Elliott J. Dent, promoted.

Capt. Lindsay C. Herkness, Corps of Engineers, vice Maj. William L. Guthrie, appointed colonel in the National Army.

Capt. Albert K. B. Lyman, Corps of Engineers, vice Maj. William P. Stokely, promoted.

Capt. Frederick S. Strong, jr., Corps of Engineers, vice Maj. Wildurr Willing, promoted.

Capt. Daniel D. Pullen, Corps of Engineers, vice Maj. William A. Mitchell, promoted.

Capt. Carey H. Brown, Corps of Engineers, vice Maj. Mark Brooke, promoted.

Capt. Oscar N. Solbert, Corps of Engineers, vice Maj. Laurence V. Frazier, promoted.

Capt. Beverly C. Dunn, Corps of Engineers, vice Maj. Harold C. Fiske, promoted.

Capt. Donald H. Connolly, Corps of Engineers, vice Maj. Warren T. Hannum, appointed colonel in the National Army.

Capt. Raymond F. Fowler, Corps of Engineers, vice Maj. Robert R. Ralston, appointed colonel in the National Army.

Capt. David McCoach, jr., Corps of Engineers (General Staff Corps), vice Maj. Max C. Tyler, promoted.

Capt. James G. B. Lampert, Corps of Engineers, vice Maj. David McCoach, jr., retained in the General Staff Corps.

Capt. Philip B. Fleming, Corps of Engineers, vice Maj. William H. Rose, promoted.

Capt. John W. Stewart, Corps of Engineers, vice Maj. Lewis M. Adams, promoted.

Capt. Joseph C. Mehaffey, Corps of Engineers, vice Maj. William D'A. Anderson, promoted.

Capt. Paul S. Reinecke, Corps of Engineers, vice Maj. Joseph H. Earle, promoted.

Capt. Raymond A. Wheeler, Corps of Engineers, vice Maj. Thomas M. Robins, promoted.

Capt. W. Morris Chubb, Corps of Engineers, vice Maj. Roger D. Black, promoted.

Capt. Howard S. Bennion, Corps of Engineers, vice Maj. W. Goff Caples, appointed colonel in the National Army.

Capt. William C. Sherman, Corps of Engineers, vice Maj. Theodore H. Dillon, promoted.

Capt. Rudolph C. Kuldell, Corps of Engineers, vice Maj. De Witt C. Jones, promoted.

Capt. Roscoe C. Crawford, Corps of Engineers, vice Maj. Henry C. Jewett, appointed colonel in the National Army.

Capt. Earl G. Paules, Corps of Engineers, vice Maj. Ernest Graves, promoted.

Capt. Bradford G. Chynoweth, Corps of Engineers, vice Maj. Arthur R. Ehrnbeck, appointed lieutenant colonel in the National Army.

Capt. Milo P. Fox, Corps of Engineers, vice Maj. Francis B. Wilby, promoted.

Capt. John C. Gotwals, Corps of Engineers, vice Maj. Clarence S. Ridley, promoted.

Capt. Francis K. Newcomer, Corps of Engineers, vice Maj. Alvin B. Barber, promoted.

Capt. Charles F. Williams, Corps of Engineers, vice Maj. Roger G. Powell, promoted.

Capt. Gordon R. Young, Corps of Engineers, vice Maj. John N. Hodges, promoted.

Capt. Richard U. Nicholas, Corps of Engineers, vice Maj. James J. Loving, promoted.

Capt. James A. Dorst, Corps of Engineers, vice Maj. Edward D. Ardery, promoted.

Capt. Rufus W. Putnam, Corps of Engineers, vice Maj. James G. Steese, promoted.

Capt. Lunsford E. Oliver, Corps of Engineers, vice Maj. Roger G. Alexander, promoted.

Capt. William H. Holcombe, Corps of Engineers, vice Maj. James A. O'Connor, promoted.

Capt. James B. Cress, Corps of Engineers, vice Maj. Lewis H. Watkins, promoted.

Capt. Charles P. Gross, Corps of Engineers, vice Maj. Gilbert E. Humphrey, promoted.

Capt. Bernard A. Miller, Corps of Engineers, vice Maj. Richard C. Moore, appointed lieutenant colonel in the National Army.

Capt. Peter C. Bullard, Corps of Engineers, vice Maj. Ralph T. Ward, appointed lieutenant colonel in the National Army.

Capt. Brehon B. Somervell, Corps of Engineers, vice Maj. Thomas H. Emerson, appointed lieutenant colonel in the National Army.

Capt. Xenophon H. Price, Corps of Engineers, vice Maj. Robert P. Howell, appointed lieutenant colonel in the National Army.

Capt. Robert W. Crawford, Corps of Engineers, vice Maj. Robert S. Thomas, appointed lieutenant colonel in the National Army.

Capt. Frederick S. Skinner, Corps of Engineers, vice Maj. Harold S. Hetrick, appointed lieutenant colonel in the National Army.

Capt. Dabney O. Elliott, Corps of Engineers, vice Maj. Jarvis J. Bain, appointed lieutenant colonel in the National Army.

Capt. Allen P. Cowgill, Corps of Engineers, vice Maj. William A. Johnson, appointed lieutenant colonel in the National Army.

Capt. George F. Lewis, Corps of Engineers, vice Maj. Charles R. Pettis, appointed lieutenant colonel in the National Army.

Capt. Harrison Brand, jr., Corps of Engineers, vice Maj. Frederick B. Downing, appointed lieutenant colonel in the National Army.

Capt. Frederick W. Herman, Corps of Engineers, vice Maj. Julian L. Schley, appointed lieutenant colonel in the National Army.

Capt. John H. Carruth, Corps of Engineers, vice Maj. Edmund L. Daley, appointed lieutenant colonel in the National Army.

Capt. Oscar O. Kuentz, Corps of Engineers, vice Maj. Henry A. Finch, appointed lieutenant colonel in the National Army.

Capt. William E. R. Covell, Corps of Engineers, vice Maj. James F. Bell, appointed lieutenant colonel in the National Army.

Capt. Edwin R. Kimble, Corps of Engineers, vice Maj. Richard Park, promoted.

Capt. Joseph D. Arthur, jr., Corps of Engineers, vice Maj. Daniel I. Sultan, promoted.

Capt. Ernest F. Miller, Corps of Engineers, vice Maj. Glen E. Edgerton, promoted.

COAST ARTILLERY CORPS.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Malcolm Young, Coast Artillery Corps, vice Lieut. Col. Lawrence S. Miller, appointed colonel in the National Army.

Maj. Laurence C. Brown, Coast Artillery Corps (Signal Corps), vice Lieut. Col. Earle D'A. Pearce, appointed colonel in the National Army.

Maj. Harry L. Steele, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Laurence C. Brown, retained in the Signal Corps.

Maj. Thomas F. Dwyer, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Harry L. Steele, retained in the Quartermaster Corps.

Maj. James B. Mitchell, Coast Artillery Corps (Inspector General's Department), vice Lieut. Col. Thomas F. Dwyer, retained in the Quartermaster Corps.

Maj. Alfred S. Morgan, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. James B. Mitchell, retained in the Inspector General's Department.

Maj. Charles H. Hilton, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. Alfred S. Morgan, retained in The Adjutant General's Department.

Maj. Edward L. Glasgow, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Charles H. Hilton, retained in the General Staff Corps.

Maj. Percy Willis, Coast Artillery Corps, vice Lieut. Col. Edward L. Glasgow, retained in the Quartermaster Corps.

Maj. William F. Stewart, jr., Coast Artillery Corps, vice Lieut. Col. Sam F. Bottoms, appointed colonel in the National Army.

Maj. Joseph B. Douglas, Coast Artillery Corps (Signal Corps), vice Lieut. Col. Edwin O. Sarratt, appointed colonel in the National Army.

Maj. Hudson T. Patten, Coast Artillery Corps, vice Lieut. Col. Joseph B. Douglas, retained in the Signal Corps.

Maj. Edward Kimmel, Coast Artillery Corps, vice Lieut. Col. Frederick E. Johnston, appointed colonel in the National Army.

Maj. John R. Procter, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Arthur S. Conklin, appointed colonel in the National Army.

Maj. John B. Christian, Coast Artillery Corps (Signal Corps), vice Lieut. Col. John R. Procter, retained in The Adjutant General's Department.

Maj. Frederick W. Phisterer, Coast Artillery Corps, vice Lieut. Col. John B. Christian, retained in the Signal Corps.

Maj. Robert H. C. Kelton, Coast Artillery Corps, vice Lieut. Col. James F. Brady, appointed lieutenant colonel in the National Army.

Maj. Percy P. Bishop, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. Thomas Q. Ashburn, appointed colonel in the National Army.

Maj. Henry J. Hatch, Coast Artillery Corps, vice Lieut. Col. Robert S. Abernethy, appointed colonel in the National Army.

Maj. Elmer J. Wallace, Coast Artillery Corps, vice Lieut. Col. Harold E. Cloke, appointed colonel in the National Army.

Maj. William F. Hase, Coast Artillery Corps, vice Lieut. Col. Philip R. Ward, appointed colonel in the National Army.

Maj. William R. Doores, Coast Artillery Corps, vice Lieut. Col. Samuel A. Kephart, promoted.

Maj. James F. Howell, Coast Artillery Corps, vice Lieut. Col. William Forse, promoted.

Maj. Jesse C. Nicholls, Coast Artillery Corps (Ordnance Department), vice Lieut. Col. Louis A. Burgess, promoted.

Maj. Henry W. Schull, Coast Artillery Corps (Ordnance Department), vice Lieut. Col. Jesse C. Nicholls, retained in the Ordnance Department.

Maj. Clifton C. Carter, Coast Artillery Corps, vice Lieut. Col. Henry W. Schull, retained in the Ordnance Department.

Maj. Stanley D. Embick, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. James A. Shipton, promoted.

Maj. William H. Monroe, Coast Artillery Corps (Ammunition Train), vice Lieut. Col. Stanley D. Embick, retained in the General Staff Corps.

Maj. Leonard D. Waldron, Coast Artillery Corps, vice Lieut. Col. William H. Monroe, retained in Ammunition Train.

Maj. Ernest A. Greenough, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. William Chamberlaine, promoted.

Maj. Alexander Greig, jr., Coast Artillery Corps, vice Lieut. Col. Ernest A. Greenough, retained in the Quartermaster Corps.

Maj. James A. Ruggles, Coast Artillery Corps, vice Lieut. Col. Gordon G. Heiner, appointed brigadier general in the National Army.

Maj. Terence E. Murphy, Coast Artillery Corps, vice Lieut. Col. George H. McManus, promoted.

Maj. Harry W. Newton, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. James W. Williams, promoted.

Maj. Allen D. Raymond, Coast Artillery Corps, vice Lieut. Col. Harry W. Newton, retained in the Quartermaster Corps.

Maj. James R. Pourie, Coast Artillery Corps, vice Lieut. Col. Alston Hamilton, promoted.

Maj. John L. Hughes, Coast Artillery Corps, vice Lieut. Col. John C. Gilmore, promoted.

Maj. John W. C. Abbott, Coast Artillery Corps, vice Lieut. Col. Mervyn C. Buckey, appointed colonel in the National Army.

Maj. Harry T. Matthews, Coast Artillery Corps (Inspector General's Department), vice Lieut. Col. Joseph Wheeler, jr., promoted.

Maj. Harry C. Barnes, Coast Artillery Corps, vice Lieut. Col. Harry T. Matthews, retained in the Inspector General's Department.

Maj. Stephen H. Mould, Coast Artillery Corps, vice Lieut. Col. Johnson Hagood, promoted.

Maj. Louis S. Chappellear, Coast Artillery Corps (Adjutant General's Department), vice Lieut. George T. Patterson, promoted.

Maj. Granville Sevier, Coast Artillery Corps, vice Lieut. Col. Louis S. Chappellear, retained in The Adjutant General's Department.

Maj. Robert F. Woods, Coast Artillery Corps, vice Lieut. Col. Percy M. Kessler, promoted.

Maj. Albert C. Thompson, Coast Artillery Corps, vice Lieut. Col. Frank K. Fergusson, promoted.

Maj. Ellison L. Gilmer, Coast Artillery Corps, vice Lieut. Col. Malcolm Young, promoted.

Maj. John McBride, jr., Coast Artillery Corps, vice Lieut. Col. Clifton C. Carter, appointed professor, United States Military Academy.

Maj. Richard K. Cravens, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Stanley D. Embick, appointed colonel in the Signal Corps.

Maj. George O. Hubbard, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Richard K. Cravens, retained in The Adjutant General's Department.

Maj. James M. Wheeler, Coast Artillery Corps, vice Lieut. Col. George O. Hubbard, retained in the Quartermaster Corps.

Maj. Harrison S. Kerrick, Coast Artillery Corps, vice Lieut. Col. Marcellus G. Spinks, detailed in the Inspector General's Department.

Maj. Frank J. Miller, Coast Artillery Corps, vice Lieut. Col. Percy Willis, promoted.

Maj. Philip S. Golderman, Coast Artillery Corps, vice Lieut. Col. Percy P. Bishop, detailed in the General Staff Corps.

Maj. Charles L. Lanham, Coast Artillery Corps, vice Lieut. Col. William E. Cole, appointed colonel in the National Army.

To be lieutenant colonels with rank from December 26, 1917.

Maj. George F. Connolly, Coast Artillery Corps, vice Lieut. Col. William F. Stewart, appointed colonel in the National Army.

To be lieutenant colonels with rank from December 29, 1917.

Maj. John S. Johnston, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Frederick W. Phisterer, promoted.

Maj. Joseph S. Hardin, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. John S. Johnston, retained in The Adjutant General's Department.

Maj. Louis E. Bennett, Coast Artillery Corps, vice Lieut. Col. Joseph S. Hardin, retained in the Quartermaster Corps.

To be lieutenant colonels with rank from January 4, 1918.

Maj. George L. Hicks, jr., Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Elmer J. Wallace, appointed colonel in the National Army.

Maj. Lynn S. Edwards, Coast Artillery Corps, vice Lieut. Col. George L. Hicks, jr., retained in The Adjutant General's Department.

INFANTRY ARM.

To be colonels with rank from December 8, 1917.

Lieut. Col. Paul Giddings, Infantry (Adjutant General's Department), vice Col. William H. Morrow, detailed in Ammunition Train.

Lieut. Col. Edward S. Walton, Infantry (Quartermaster Corps), vice Col. Paul Giddings, retained in The Adjutant General's Department.

Lieut. Col. Alfred T. Smith, Infantry, vice Col. Edward S. Walton, retained in the Quartermaster Corps.

To be colonels with rank from January 9, 1918.

Lieut. Col. Fred L. Munson, Infantry (Quartermaster Corps), vice Col. Henry J. Hunt, detailed in Ammunition Train.

Lieut. Col. Thomas M. Anderson, jr., Infantry, vice Col. Fred L. Munson, retained in the Quartermaster Corps.

Lieut. Col. John E. Hunt, Infantry, vice Col. William K. Jones, detailed in Ammunition Train.

To be colonels with rank from January 22, 1918.

Lieut. Col. Claude H. Miller, Infantry (Inspector General's Department), vice Col. Edward Sigerfoos, resigned commission as temporary colonel.

Lieut. Col. Harold B. Fiske, Infantry, vice Col. Claude H. Miller, retained in the Inspector General's Department.

To be colonel with rank from December 8, 1917.

Lieut. Col. Ira L. Reeves, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

To be lieutenant colonel with rank from January 9, 1918.

Maj. Edwin J. Nowlen, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

To be lieutenant colonel with rank from August 5, 1917.

Maj. Raymond Sheldon, Infantry, vice Lieut. Col. Alfred T. Smith, promoted.

To be lieutenant colonel with rank from December 21, 1917.

Maj. Edwin J. Bracken, Infantry, vice Lieut. Col. Thomas M. Anderson, jr., promoted.

To be lieutenant colonel with rank from January 8, 1918.

Maj. George W. England, Infantry, vice Lieut. Col. George M. Holley, detailed in The Adjutant General's Department.

To be lieutenant colonels with rank from January 9, 1918.

Maj. Clyde B. Parker, Infantry, vice Lieut. Col. John E. Hunt, promoted.

Maj. Alvin C. Voris, Infantry (Signal Corps), vice Lieut. Col. Austin A. Parker, detailed in The Adjutant General's Department.

Maj. Frank R. Curtis, Infantry (Signal Corps), vice Lieut. Col. Alvin C. Voris, retained in the Signal Corps.

Maj. Fred L. Davison, Infantry, vice Lieut. Col. Frank R. Curtis, retained in the Signal Corps.

Maj. George E. Kumpfe, Infantry, vice Lieut. Col. Jennings B. Wilson, detailed in The Adjutant General's Department.

To be lieutenant colonel with rank from January 10, 1918.

Maj. Milo C. Corey, Infantry, vice Lieut. Col. Harry E. Comstock, detailed in Ammunition Train.

To be lieutenant colonels with rank from January 22, 1918.

Maj. Arthur M. Ferguson, Infantry (Adjutant General's Department), vice Lieut. Col. Harold B. Fiske, promoted.

Maj. De Witt W. Chamberlin, Infantry (Inspector General's Department), vice Lieut. Col. Arthur M. Ferguson, retained in The Adjutant General's Department.

Maj. Walter H. Johnson, Infantry (General Staff), vice Lieut. Col. De Witt W. Chamberlin, retained in the Inspector General's Department.

Maj. Robert G. Rutherford, jr., Infantry, vice Lieut. Col. Walter H. Johnson, retained in the General Staff.

Maj. Robert E. Grinstead, Infantry (Quartermaster Corps), vice Lieut. Col. Lochlin W. Caffey, resigned commission as temporary lieutenant colonel.

Maj. Albert S. Williams, Infantry (Adjutant General's Department), vice Lieut. Col. Robert E. Grinstead, retained in the Quartermaster Corps.

Maj. William B. Graham, Infantry (General Staff), vice Lieut. Col. Albert S. Williams, retained in The Adjutant General's Department.

Maj. Charles J. Nelson, Infantry (Quartermaster Corps), vice Lieut. Col. William B. Graham, retained in the General Staff.

Maj. E. Alexis Jeunet, Infantry, vice Lieut. Col. Charles J. Nelson, retained in the Quartermaster Corps.

Maj. Charles H. Danforth, Infantry, vice Lieut. Col. William S. Faulkner, resigned commission as temporary lieutenant colonel.

To be lieutenant colonels with rank from January 23, 1918.

Maj. Gideon H. Williams, Infantry, vice Lieut. Col. J. De Camp Hall, resigned commission as temporary lieutenant colonel.

Maj. Leonard T. Baker, Infantry, vice Lieut. Col. James M. Loud, resigned commission as temporary lieutenant colonel.

Maj. Charles S. Frank, Infantry (Quartermaster Corps), vice Lieut. Col. Davis C. Anderson, resigned commission as temporary lieutenant colonel.

Maj. Franklin S. Leisenring, Infantry (Quartermaster Corps), vice Lieut. Col. Charles S. Frank, retained in the Quartermaster Corps.

Maj. Charles F. Andrews, Infantry, vice Lieut. Col. Franklin S. Leisenring, retained in the Quartermaster Corps.

Maj. Allan L. Briggs, Infantry, vice Lieut. Col. Philip Powers, resigned commission as temporary lieutenant colonel.

Maj. James M. Petty, Infantry, vice Lieut. Col. Douglas Potts, resigned commission as temporary lieutenant colonel.

Maj. John B. Shuman, Infantry (Adjutant General's Department), vice Lieut. Col. Edward B. Mitchell, resigned commission as temporary lieutenant colonel.

Maj. Charles G. Lawrence, Infantry (Quartermaster Corps), vice Lieut. Col. John B. Shuman, retained in The Adjutant General's Department.

Maj. Frederic G. Kellond, Infantry (General Staff), vice Lieut. Col. Charles G. Lawrence, retained in the Quartermaster Corps.

Maj. William P. Kitts, Infantry (Inspector General's Department), vice Lieut. Col. Frederic G. Kellond, retained in the General Staff.

Maj. Walter Harvey, Infantry, vice Lieut. Col. William P. Kitts, retained in the Inspector General's Department.

Maj. Frank B. Davis, Infantry, vice Lieut. Col. Allen J. Greer, resigned commission as temporary lieutenant colonel.

Maj. Harry D. Mitchell, Infantry, vice Lieut. Col. Wilbur A. McDaniel, resigned commission as temporary lieutenant colonel.

To be lieutenant colonels with rank from January 24, 1918.

Maj. Ode C. Nichols, Infantry, vice Lieut. Col. William G. Fleischhauer, resigned commission as temporary lieutenant colonel.

Maj. Kirwin T. Smith, Infantry, vice Lieut. Col. Harold D. Coburn, resigned commission as temporary lieutenant colonel.

To be majors with rank from November 12, 1917.

Capt. Joseph E. Barzynski, Infantry (Quartermaster Corps), vice Maj. Anton C. Cron, resigned commission as temporary major.

Capt. Ben W. Felld, Infantry, vice Maj. Joseph E. Barzynski, retained in the Quartermaster Corps.

To be major with rank from November 13, 1917.

Capt. Bloxham Ward, Infantry, Detached Officers' list, vice Maj. Thomas C. Musgrave, detailed in the Signal Corps.

To be majors with rank from November 15, 1917.

Capt. Paul H. Clark, Infantry (Quartermaster Corps), vice Maj. Benjamin B. McCroskey, resigned commission as temporary major.

Capt. Thomas H. Lowe, Infantry, vice Maj. Paul H. Clark, retained in the Quartermaster Corps.

To be majors with rank from November 16, 1917.

Capt. James W. H. Reisinger, jr., Infantry, vice Maj. Thomas J. Rogers, promoted lieutenant colonel.

Capt. Rupert A. Dunford, Infantry, vice Maj. Charles A. Dravo, detailed in the Signal Corps.

To be majors with rank from November 17, 1917.

Capt. Charles C. Bankhead, Infantry, vice Maj. John M. True, resigned commission as temporary major.

Capt. John P. Adams, Infantry, detached officers' list, vice Maj. Charles L. Sampson, resigned commission as temporary major.

To be majors with rank from November 18, 1917.

Capt. Ira Longanecker, Infantry, detached officers' list, vice Maj. Thomas N. Gimperling, resigned commission as temporary major.

Capt. William C. Whitener, Infantry, vice Maj. John C. French, resigned commission as temporary major.

Capt. Frederick J. Ostermann, Infantry (Signal Corps), vice Maj. Rutherford S. Hartz, detailed in the Signal Corps.

Capt. William J. Connolly, Infantry (Quartermaster Corps), vice Maj. Frederick J. Ostermann, retained in the Signal Corps.

Capt. Everett D. Barlow, jr., Infantry, vice Maj. William J. Connolly, retained in the Quartermaster Corps.

Capt. Lawrence E. Hohl, Infantry, vice Maj. William W. Harris, jr., resigned commission as temporary major.

To be majors with rank from November 19, 1917.

Capt. James G. Boswell, Infantry, vice Maj. Harry Bissell, resigned commission as temporary major.

Col. Arthur D. Minick, Infantry (Ordnance Department), vice Maj. Fitzhugh L. Minnigerode, resigned commission as temporary major.

Capt. Paul R. Manchester, Infantry, vice Maj. Arthur D. Minick, retained in Ordnance Department.

Capt. Byard Sneed, Infantry, vice Maj. Bruce R. Campbell, resigned commission as temporary major.

To be majors with rank from November 20, 1917.

Capt. Oscar Westover, Infantry (Signal Corps), vice Maj. Sherburne Whipple, resigned commission as temporary major.

Capt. Martyn H. Shute, Infantry (Signal Corps), vice Maj. Oscar Westover, retained in the Signal Corps.

Capt. Fred A. Cook, Infantry, vice Maj. Martyn H. Shute, retained in the Signal Corps.

To be major with rank from November 21, 1917.

Capt. George G. Bartlett, Infantry, vice Maj. James B. Woolnough, resigned commission as temporary major.

To be majors with rank from November 22, 1917.

Capt. Henry B. Clagett, Infantry (Signal Corps), vice Maj. Allan R. Williams, resigned commission as temporary major.

Capt. Richard H. Jacob, Infantry, vice Maj. Henry B. Clagett, retained in the Signal Corps.

To be majors with rank from November 23, 1917.

Capt. Ralph A. Jones, Infantry, detached officers' list, vice Maj. William R. Scott, resigned commission as temporary major.

Capt. Hugo D. Schultz, Infantry, vice Maj. Charles W. Mason, resigned commission as temporary major.

Capt. Jacob E. Fickel, Infantry (Signal Corps), vice Maj. John B. Corbly, resigned commission as temporary major.

Capt. Jesse W. Boyd, Infantry (Quartermaster Corps), vice Maj. Jacob E. Fickel, retained in the Signal Corps.

Capt. Ebenezer G. Beuret, Infantry, vice Maj. Jesse W. Boyd, retained in the Quartermaster Corps.

Capt. Rush B. Lincoln, Infantry (Signal Corps), vice Maj. John B. Richardson, resigned commission as temporary major.

Capt. Walter F. L. Hartigan, Infantry, vice Maj. Rush B. Lincoln, retained in the Signal Corps.

To be majors with rank from November 28, 1917.

Capt. Bruce Magruder, Infantry, vice Maj. William E. Gilmore, detailed in the Signal Corps.

Capt. George H. Huddleson, Infantry, detached officers' list, vice Maj. Ira Longanecker, detailed in the Signal Corps.

To be major with rank from November 29, 1917.

Capt. George C. Keleher, Infantry, vice Maj. George E. Goodrich, detailed in the Signal Corps.

To be major with rank from November 30, 1917.

Capt. Harry H. Pritchett, Infantry, vice Maj. James W. H. Reisinger, detailed in the Quartermaster Corps.

To be majors with rank from December 1, 1917.

Capt. Edgar L. Field, Infantry, vice Maj. Charles B. Elliott, resigned commission as temporary major.

Capt. Earl C. Buck, Infantry, vice Maj. Edmund C. Waddill, resigned commission as temporary major.

Capt. Jere Baxter, Infantry, detached officers' list, vice Maj. Arthur M. Ferguson, detailed in The Adjutant General's Department.

Capt. A. Ellicott Brown, Infantry, vice Maj. Harry Hawley, resigned commission as temporary major.

To be majors with rank from December 4, 1917.

Capt. James M. Lockett, Infantry, vice Maj. Jacob W. S. Wuest, detailed in the Signal Corps.

Capt. Eugene Robinson, Infantry, vice Maj. William W. Besell, detailed in The Adjutant General's Department.

To be major with rank from December 8, 1917.

Capt. Jesse C. Drain, Infantry, detached officers' list, vice Maj. Raymond Sheldon, promoted.

To be major with rank from December 10, 1917.

Capt. Alexander W. Chilton, Infantry, detached officers' list, vice Maj. Joseph F. Ware, detailed in the Signal Corps.

To be major with rank from December 15, 1917.

Capt. William E. Morrison, Infantry, detached officers' list, vice Maj. Alfred W. Bjornstad, promoted.

To be majors with rank from December 19, 1917.

Capt. Donald J. MacLachlan, Infantry, vice Maj. Resolve P. Palmer, detailed in the Signal Corps.

Capt. Charles H. Rice, Infantry, vice Maj. James G. Boswell, detailed in the Signal Corps.

To be majors with rank from December 21, 1917.

Capt. Irving J. Palmer, Infantry (Quartermaster Corps), vice Maj. Edwin J. Bracken, promoted.

Capt. Melvin G. Faris, Infantry, vice Maj. Irving J. Palmer, retained in the Quartermaster Corps.

To be majors with rank from January 8, 1918.

Capt. Alexander W. Maish, Infantry (Ordnance Department), vice Maj. George W. England, promoted.

Capt. William J. McCaughey, Infantry, vice Maj. Alexander W. Maish, retained in the Ordnance Department.

To be majors with rank from January 9, 1918.

Capt. Eugene R. Householder, Infantry, vice Maj. Clyde B. Parker, promoted.

Capt. Eugene Santschi, jr., Infantry, vice Maj. Fred L. Davidson, promoted.

Capt. William A. Ganoe, Infantry, vice Maj. George E. Kumpe, promoted.

To be major with rank from January 10, 1918.

Capt. Elmer F. Rice, Infantry, vice Maj. Milo C. Corey, promoted.

To be majors with rank from January 22, 1918.

Capt. Benjamin F. Castle, Infantry, vice Maj. Robert G. Ruth-erford, jr., promoted.

Capt. John W. Lang, Infantry, vice Maj. E. Alexis Jeunet, promoted.

Capt. George T. Everett, Infantry (Quartermaster Corps), vice Maj. Charles H. Danforth, promoted.

Capt. Henry H. Arnold, Infantry (Signal Corps), vice Maj. George T. Everett, retained in the Quartermaster Corps.

Capt. Walter R. Wheeler, Infantry, vice Maj. Henry H. Arnold, retained in the Signal Corps.

Capt. Barton K. Yount, Infantry, vice Maj. Clifford C. Early, resigned commission as temporary major.

To be majors with rank from January 23, 1918.

Capt. Denham B. Crafton, Infantry, vice Maj. Gideon H. Williams, promoted.

Capt. William E. Selbie, Infantry, vice Maj. Leonard T. Baker, promoted.

Capt. John L. Jenkins, Infantry, vice Maj. Charles F. Andrews, promoted.

Capt. Charles H. White, Infantry, vice Maj. Allan L. Briggs, promoted.

Capt. Alvin G. Gutensohn, Infantry (Signal Corps), vice Maj. James M. Petty, promoted.

Capt. Stanley L. James, Infantry, vice Maj. Alvin G. Gutensohn, retained in the Signal Corps.

Capt. John S. Sullivan, Infantry, vice Maj. Walter Harvey, promoted.

Capt. Bruce B. Buttler, Infantry, vice Maj. Frank B. Davis, promoted.

Capt. Evan E. Lewis, Infantry, vice Maj. Harry D. Mitchell, promoted.

Capt. Paul A. Larned, Infantry (Quartermaster Corps), vice Maj. Otis R. Cole, resigned commission as temporary major.

Capt. James H. Laubach, Infantry (Quartermaster Corps), vice Maj. Paul A. Larned, retained in the Quartermaster Corps.

Capt. George R. Harrison, Infantry, vice Maj. James H. Laubach, retained in the Quartermaster Corps.

Capt. Ralph W. Dusenbury, Infantry, vice Maj. James G. Taylor, resigned commission as temporary major.

To be majors with rank from January 24, 1918.

Capt. Thomas C. Spencer, Infantry, vice Maj. Ode C. Nichols, promoted.

Capt. Fauntley M. Miller, Infantry, vice Maj. Kirwin T. Smith, promoted.

Capt. Ray C. Hill, Infantry, vice Maj. Hiram M. Cooper, resigned commission as temporary major.

Capt. Patrick J. Morrissey, Infantry, vice Maj. Charles F. Caffery, resigned commission as temporary major.

Capt. Thomas M. R. Herron, Infantry, vice Maj. Frederick F. Black, resigned commission as temporary major.

To be major with rank from January 26, 1918.

Capt. John D. Reardan, Infantry, vice Maj. Walter S. Fulton, resigned commission as temporary major.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

COAST ARTILLERY CORPS.

To be first lieutenant with rank from September 18, 1917.

Second Lieut. David C. Kelly, Coast Artillery Corps, vice First Lieut. John A. Hoag, promoted.

To be first lieutenants with rank from October 24, 1917.

Second Lieut. Edward F. Chase, Coast Artillery Corps, vice First Lieut. Cris M. Burlingame, promoted.

Second Lieut. Robert A. Wheeler, Coast Artillery Corps, vice First Lieut. James Kirk, promoted.

Second Lieut. Catesby ap L. Jones, Coast Artillery Corps, vice First Lieut. James H. Johnson, promoted.

Second Lieut. William W. Savage, Coast Artillery Corps, vice First Lieut. John H. Lindt, promoted.

Second Lieut. Charles J. Schaefer, jr., Coast Artillery Corps, vice First Lieut. Bird S. DuBois, promoted.

Second Lieut. LeRoy A. Whittaker, Coast Artillery Corps, vice First Lieut. Stiles M. Decker, promoted.

Second Lieut. Harold W. Kramer, Coast Artillery Corps, vice First Lieut. Raymond G. Payne, promoted.

To be first lieutenants with rank from October 25, 1917.

Second Lieut. Harold P. Detwiler, Coast Artillery Corps, vice First Lieut. Archie S. Buyers, promoted.

Second Lieut. Clarence F. Hofstetter, Coast Artillery Corps, vice First Lieut. William A. Borden, promoted.

Second Lieut. John J. Vandenberg, Coast Artillery Corps, vice First Lieut. Edwin B. Spiller, promoted.

Second Lieut. Paul S. Roper, Coast Artillery Corps, vice First Lieut. Alfred B. Quinton, jr., promoted.

Second Lieut. John S. Beck, Coast Artillery Corps, vice First Lieut. Francis J. Toohey, placed on the detached officers' list.

Second Lieut. Clarence G. DeSwarte, Coast Artillery Corps, vice First Lieut. Charles L. Kilburn, placed on the detached officers' list.

Second Lieut. Bradley B. Brown, Coast Artillery Corps, vice First Lieut. Harold A. Strauss, promoted.

Second Lieut. Mahlon A. Combs, Coast Artillery Corps, vice First Lieut. Cyril A. W. Dawson, promoted.

Second Lieut. Leslie A. Kibbe, Coast Artillery Corps, vice First Lieut. Hubert R. Harmon, detailed in the Aviation Section.

Second Lieut. Lawrence L. Clayton, Coast Artillery Corps, vice First Lieut. Robert H. Van Volkenburgh, promoted.

Second Lieut. Sanford D. Ashford, Coast Artillery Corps, vice First Lieut. John H. Jouett, detailed in the Aviation Section.

Second Lieut. William Mayer, Coast Artillery Corps, vice First Lieut. Charles M. Steese, detailed in the Ordnance Department.

Second Lieut. James L. Craig, Coast Artillery Corps, vice First Lieut. Frederick G. Dillman, promoted.

Second Lieut. Glenn H. Stough, Coast Artillery Corps, vice First Lieut. Manning M. Kimmel, jr., promoted.

Second Lieut. Charles E. Loucks, Coast Artillery Corps, vice First Lieut. Robert M. Perkins, promoted.

Second Lieut. Edmund B. Tazewell, Coast Artillery Corps, vice First Lieut. Lawrence B. Weeks, promoted.

Second Lieut. Hugh M. Cochran, 3d, Coast Artillery Corps, vice First Lieut. Stewart S. Giffin, promoted.

Second Lieut. Bruce W. Thayer, Coast Artillery Corps, vice First Lieut. Ward E. Duvall, promoted.

Second Lieut. Arthur C. Cox, Coast Artillery Corps, vice First Lieut. James B. Gillespie, promoted.

Second Lieut. Paul J. Hunt, Coast Artillery Corps, vice First Lieut. Belton O'N. Kennedy, transferred to the Field Artillery.

Second Lieut. Chauncey K. Smullen, Coast Artillery Corps, vice First Lieut. Francis H. Miles, jr., transferred to Field Artillery.

Second Lieut. Moses W. Pettigrew, Coast Artillery Corps, vice First Lieut. Herbert A. Dargue, transferred to Field Artillery.

Second Lieut. Harold H. Hilton, Coast Artillery Corps, vice First Lieut. Avery J. French, transferred to Field Artillery.

Second Lieut. Walter F. Kraus, Coast Artillery Corps, vice First Lieut. Frederick J. Williams, transferred to Field Artillery.

Second Lieut. Milton M. Levy, Coast Artillery Corps, vice First Lieut. William C. Harrison, transferred to Field Artillery.

Second Lieut. D. Marshall Taylor, Coast Artillery Corps, vice First Lieut. Walter H. Hess, jr., transferred to Field Artillery.

Second Lieut. Samson H. Rosenblatt, Coast Artillery Corps, vice First Lieut. Paul V. Kane, transferred to Field Artillery.

Second Lieut. Hugh N. Mavor, Coast Artillery Corps, vice First Lieut. Weir Riche, transferred to Field Artillery.

Second Lieut. George A. Woody, Coast Artillery Corps, vice First Lieut. Thomas J. Brady, transferred to Field Artillery.

Second Lieut. Maurice R. Gowing, Coast Artillery Corps, vice First Lieut. John S. Mac Taggart, transferred to Field Artillery.

Second Lieut. Geoffrey M. O'Connell, Coast Artillery Corps, vice First Lieut. James A. Pickering, transferred to Field Artillery.

Second Lieut. Lloyd W. Goeppert, Coast Artillery Corps, vice First Lieut. Joseph D. Coughlan, transferred to Field Artillery.

Second Lieut. Frank R. Rawson, Coast Artillery Corps, vice First Lieut. Robert N. Bodine, transferred to Field Artillery.

Second Lieut. Francis Bell, jr., Coast Artillery Corps, vice First Lieut. William C. Byrd, dropped.

Second Lieut. Harrison G. Overend, Coast Artillery Corps, vice First Lieut. Martin J. O'Brien, promoted.

Second Lieut. Arthur W. Gower, Coast Artillery Corps, vice First Lieut. Joseph C. Haw, promoted.

Second Lieut. Guy C. Smith, Coast Artillery Corps, vice First Lieut. Iverson B. Summers, jr., promoted.

Second Lieut. Otis C. Moore, Coast Artillery Corps, vice First Lieut. Clifford R. Jones, promoted.

Second Lieut. George C. Tinsley, Coast Artillery Corps, vice First Lieut. John B. Wogan, promoted.

Second Lieut. Arthur F. Gilmore, Coast Artillery Corps, vice First Lieut. Clesen H. Tenney, promoted.

Second Lieut. Thomas B. Hobson, Coast Artillery Corps, vice First Lieut. Frank E. Emery, jr., promoted.

Second Lieut. John T. Lewis, Coast Artillery Corps, vice First Lieut. Edward C. Wallington, promoted.

Second Lieut. Walter A. Upham, Coast Artillery Corps, vice First Lieut. Carl E. Hocker, promoted.

Second Lieut. Julian D. Conover, Coast Artillery Corps, vice First Lieut. Richmond T. Gibson, promoted.

Second Lieut. Ralph A. Grant, Coast Artillery Corps, vice First Lieut. Edward B. Hyde, jr., promoted.

Second Lieut. Alvah P. R. Conklin, Coast Artillery Corps, vice First Lieut. Herbert R. Corbin, promoted.

Second Lieut. William Q. Jeffords, jr., Coast Artillery Corps, vice First Lieut. Charles H. Chapin, promoted.

Second Lieut. Frederick W. Gilchrist, Coast Artillery Corps, vice First Lieut. William P. Cherrington, promoted.

Second Lieut. Samuel L. McCroskey, Coast Artillery Corps, vice First Lieut. Charles R. Finley, promoted.

Second Lieut. George A. Patrick, Coast Artillery Corps, vice First Lieut. Albert W. Draves, promoted.

Second Lieut. Horace H. Powers, Coast Artillery Corps, vice First Lieut. Benjamin S. Beverley, promoted.

Second Lieut. Walter C. Thee, Coast Artillery Corps, vice First Lieut. Carl L. Marriott, promoted.

Second Lieut. Gwynne G. McCaustland, Coast Artillery Corps, vice First Lieut. Hugh A. Ramsey, promoted.

Second Lieut. Wayne E. Davis, Coast Artillery Corps, vice First Lieut. Willis McD. Chapin, promoted.

Second Lieut. Oliver B. Bucher, Coast Artillery Corps, vice First Lieut. Carl S. Doney, promoted.

Second Lieut. Edgar W. King, Coast Artillery Corps, vice First Lieut. James de B. Walbach, promoted.

Second Lieut. John W. Dillard, Coast Artillery Corps, vice First Lieut. Richard M. Levy, promoted.

Second Lieut. Jesse K. Mattox, Coast Artillery Corps, vice First Lieut. Ellicott H. Freeland, promoted.

Second Lieut. Wallace E. Armstrong, Coast Artillery Corps, vice First Lieut. James C. Ruddell, promoted.

Second Lieut. Riley E. McGarragh, Coast Artillery Corps, vice First Lieut. Joseph J. O'Hare, promoted.

Second Lieut. Fletcher H. Etheridge, Coast Artillery Corps, vice First Lieut. William G. Patterson, promoted.

Second Lieut. David Beale, Coast Artillery Corps, vice First Lieut. Frank C. Scofield, promoted.

Second Lieut. Charles T. Trickey, Coast Artillery Corps, vice First Lieut. Ferdinand F. Gallagher, promoted.

Second Lieut. Allan P. Bruner, Coast Artillery Corps, vice First Lieut. Barrington L. Flanigen, promoted.

Second Lieut. Edwin M. McGinnis, Coast Artillery Corps, vice First Lieut. Frederick W. Smith, promoted.

Second Lieut. Francis S. Swett, Coast Artillery Corps, vice First Lieut. Robert S. Barr, promoted.

Second Lieut. Arch C. Huston, Coast Artillery Corps, vice First Lieut. Charles J. Herzer, promoted.

To be first lieutenants with rank from October 26, 1917.

Second Lieut. Ulric J. Mengert, Coast Artillery Corps, vice First Lieut. William M. Cravens, promoted.

Second Lieut. Hugo Dalsheimer, Coast Artillery Corps, vice First Lieut. John B. Martin, promoted.

Second Lieut. Richard W. Coward, Coast Artillery Corps, vice First Lieut. Edwin C. Mead, promoted.

Second Lieut. Edward T. Browne, Coast Artillery Corps, vice First Lieut. William T. Roberts, promoted.

Second Lieut. John O. Merrill, Coast Artillery Corps, vice First Lieut. Carl J. Smith, promoted.

Second Lieut. Horace C. Levinson, Coast Artillery Corps, vice First Lieut. Dugald Mac A. Barr, promoted.

Second Lieut. Percival S. Howe, jr., Coast Artillery Corps, vice First Lieut. James D. MacMullen, promoted.

Second Lieut. Miles W. Kresge, Coast Artillery Corps, vice First Lieut. Charles W. Bundy, promoted.

Second Lieut. Edwin S. Roscoe, Coast Artillery Corps, vice First Lieut. Charles D. Y. Ostrom, promoted.

Second Lieut. George W. Ricker, Coast Artillery Corps, vice First Lieut. Donald M. Cole, promoted.

Second Lieut. Edward S. Fraser, Coast Artillery Corps, vice First Lieut. James C. Hutson, promoted.

Second Lieut. Milton W. Pollock, Coast Artillery Corps, vice First Lieut. Francis A. Hause, promoted.

Second Lieut. Sumner T. Pike, Coast Artillery Corps, vice First Lieut. Edward E. MacMorland, promoted.

Second Lieut. Sealand W. Landon, jr., Coast Artillery Corps, vice First Lieut. Martin J. O'Brien, placed on the detached officers' list.

Second Lieut. Harold Connett, Coast Artillery Corps, vice First Lieut. Iverson B. Summers, jr., placed on the detached officers' list.

Second Lieut. Leslie Clyde, Coast Artillery Corps, vice First Lieut. John B. Wogan, placed on the detached officers' list.

Second Lieut. John M. Silkman, Coast Artillery Corps, vice First Lieut. Clesen H. Tenney, placed on the detached officers' list.

Second Lieut. John S. Jenkins, jr., Coast Artillery Corps, vice First Lieut. Frank E. Emery, jr., placed on the detached officers' list.

Second Lieut. Stanley R. Mickelsen, Coast Artillery Corps, vice First Lieut. Edward C. Wallington, placed on the detached officers' list.

Second Lieut. William LeRoy Hart, Coast Artillery Corps, vice First Lieut. Charles R. Finley, placed on the detached officers' list.

Second Lieut. Lawrence B. Morse, Coast Artillery Corps, vice First Lieut. Albert W. Draves, placed on the detached officers' list.

Second Lieut. George P. Lee, Coast Artillery Corps, vice First Lieut. Benjamin S. Beverley, placed on the detached officers' list.

Second Lieut. Ralph E. Glasheen, Coast Artillery Corps, vice First Lieut. Willis M. Chapin, placed on the detached officers' list.

Second Lieut. Earnest J. Oglesby, Coast Artillery Corps, vice First Lieut. James de B. Walbach, placed on the detached officers' list.

Second Lieut. Eugene M. Vigneron, Coast Artillery Corps, vice First Lieut. Richard M. Levy, placed on the detached officers' list.

Second Lieut. Carroll G. Riggs, Coast Artillery Corps, vice First Lieut. Joseph J. O'Hare, placed on the detached officers' list.

Second Lieut. Henry C. Meredith, Coast Artillery Corps, vice First Lieut. William G. Patterson, placed on the detached officers' list.

Second Lieut. Dana L. Barbour, Coast Artillery Corps, vice First Lieut. Frank C. Scofield, placed on the detached officers' list.

Second Lieut. Ralph Beatley, Coast Artillery Corps, vice First Lieut. Ferdinand F. Gallagher, placed on the detached officers' list.

Second Lieut. Max W. Thornburg, Coast Artillery Corps, vice First Lieut. Barrington L. Flanigen, placed on the detached officers' list.

Second Lieut. George W. Farnham, Coast Artillery Corps, vice First Lieut. Robert S. Barr, placed on the detached officers' list.

Second Lieut. Richard M. Kimball, Coast Artillery Corps, vice First Lieut. Charles J. Herzer, placed on the detached officers' list.

Second Lieut. Edwin F. Barry, Coast Artillery Corps, vice First Lieut. John B. Martin, placed on the detached officers' list.

Second Lieut. Eugene S. Talliaferro, Coast Artillery Corps, vice First Lieut. Oliver C. Stevens, placed on the detached officers' list.

Second Lieut. Robert A. Clyde, Coast Artillery Corps, vice First Lieut. Edwin C. Mead, placed on the detached officers' list.

Second Lieut. Andrew F. Patterson, Coast Artillery Corps, vice First Lieut. Carl J. Smith, placed on the detached officers' list.

Second Lieut. Forrest G. Tucker, Coast Artillery Corps, vice First Lieut. Dugald MacA. Barr, placed on the detached officers' list.

Second Lieut. Howard T. Evans, Coast Artillery Corps, vice First Lieut. Charles D. Y. Ostrom, placed on the detached officers' list.

Second Lieut. Spessard L. Holland, Coast Artillery Corps, vice First Lieut. James C. Hutson, placed on the detached officers' list.

Second Lieut. William P. E. Ainsworth, Coast Artillery Corps, vice First Lieut. Francis A. Hause, placed on the detached officers' list.

Second Lieut. Herbert F. E. Bultman, Coast Artillery Corps, vice First Lieut. Edward E. MacMorland, placed on the detached officers' list.

Second Lieut. Donald F. McClure, Coast Artillery Corps, vice First Lieut. Leslie V. Jefferis, placed on the detached officers' list.

Second Lieut. Wilton B. Persons, Coast Artillery Corps, vice First Lieut. Stuart A. Hamilton, placed on the detached officers' list.

Second Lieut. Homer Case, Coast Artillery Corps, vice First Lieut. Howard F. Gill, placed on the detached officers' list.

Second Lieut. Edward P. Sykes, Coast Artillery Corps, vice First Lieut. Gerald R. Butz, placed on the detached officers' list.

Second Lieut. John V. Ray, Coast Artillery Corps, vice First Lieut. Joseph W. Barker, placed on the detached officers' list.

Second Lieut. Burleigh A. Lum, Coast Artillery Corps, vice First Lieut. Shuey E. Wolfe, placed on the detached officers' list.

Second Lieut. Wilbur S. Vaughan, Coast Artillery Corps, vice First Lieut. Carl C. Terry, placed on the detached officers' list.

Second Lieut. Reginald S. Fleet, Coast Artillery Corps, vice First Lieut. Edward A. Murphy, placed on the detached officers' list.

Second Lieut. Roland D. Hawkins, Coast Artillery Corps, vice First Lieut. Jep C. Hardigg, placed on the detached officers' list.

Second Lieut. Melzar M. Whittlesley, Coast Artillery Corps, vice First Lieut. George D. Davidson, placed on the detached officers' list.

Second Lieut. Roscoe P. De Witt, Coast Artillery Corps, vice First Lieut. Richard B. Webb, placed on the detached officers' list.

Second Lieut. John G. Murphy, Coast Artillery Corps, vice First Lieut. Jules E. Piccard, placed on the detached officers' list.

Second Lieut. Walter J. Collet, Coast Artillery Corps, vice First Lieut. Robert E. Phillips, placed on the detached officers' list.

Second Lieut. Joe J. Miller, Coast Artillery Corps, vice First Lieut. Edgar Nash, jr., placed on the detached officers' list.

Second Lieut. John Van A. Mackenzie, Coast Artillery Corps, vice First Lieut. Vincent B. Dixon, placed on the detached officers' list.

Second Lieut. Frank J. McSherry, Coast Artillery Corps, vice First Lieut. Wilmer S. Phillips, placed on the detached officers' list.

Second Lieut. George F. A. Mulcahy, Coast Artillery Corps, vice First Lieut. Otis A. Wallace, placed on the detached officers' list.

Second Lieut. Charles S. Hammond, Coast Artillery Corps, vice First Lieut. Edgar H. Underwood, placed on the detached officers' list.

Second Lieut. William B. Jones, Coast Artillery Corps, vice First Lieut. Horace L. Whittaker, placed on the detached officers' list.

Second Lieut. Cornelius S. Whittelsey, Coast Artillery Corps, vice First Lieut. James Q. Rood, placed on the detached officers' list.

Second Lieut. Carleton E. Saecker, Coast Artillery Corps, vice First Lieut. Evan C. Seaman, placed on the detached officers' list.

Second Lieut. Robert B. Adams, Coast Artillery Corps, vice First Lieut. Clarence E. Cotter, placed on the detached officers' list.

Second Lieut. Clarence C. Harshman, Coast Artillery Corps, vice First Lieut. James M. Evans, placed on the detached officers' list.

Second Lieut. Lewis J. Taylor, Coast Artillery Corps, vice First Lieut. Henry R. Behrens, placed on the detached officers' list.

Second Lieut. Pennock H. Orr, Coast Artillery Corps, vice First Lieut. Edison A. Lynn, placed on the detached officers' list.

Second Lieut. John K. Christmas, Coast Artillery Corps, vice First Lieut. Guy H. Drewry, placed on the detached officers' list.

Second Lieut. James M. Harris, Coast Artillery Corps, vice First Lieut. Alva F. Englehart, placed on the detached officers' list.

Second Lieut. Walter B. Littlefield, Coast Artillery Corps, vice First Lieut. Harold R. Jackson, placed on the detached officers' list.

Second Lieut. Philip H. Middleditch, Coast Artillery Corps, vice First Lieut. Walter F. Vander Hyden, placed on the detached officers' list.

Second Lieut. Wilfrid W. Montague, Coast Artillery Corps, vice First Lieut. Elbert L. Ford, jr., placed on the detached officers' list.

Second Lieut. Donald B. Webster, Coast Artillery Corps, vice First Lieut. James L. Hayden, placed on the detached officers' list.

Second Lieut. George B. Roberts, Coast Artillery Corps, vice First Lieut. George S. Beurket, placed on the detached officers' list.

Second Lieut. Frank E. O'Neill, Coast Artillery Corps, vice First Lieut. Joel G. Holmes, placed on the detached officers' list.

Second Lieut. Banks G. Moreland, Coast Artillery Corps, vice First Lieut. William Sackville, placed on the detached officers' list.

Second Lieut. Monroe Warren, Coast Artillery Corps, vice First Lieut. Leroy H. Lohman, placed on the detached officers' list.

Second Lieut. James M. Ralston, Coast Artillery Corps, vice First Lieut. Christian G. Foltz, placed on the detached officers' list.

Second Lieut. Ransom D. Spann, Coast Artillery Corps, vice First Lieut. William W. Cowgill, placed on the detached officers' list.

Second Lieut. Donald G. Crowell, Coast Artillery Corps, vice First Lieut. Harry R. Pierce, placed on the detached officers' list.

Second Lieut. Arthur C. Hawkins, Coast Artillery Corps, vice First Lieut. Lawrence C. Mitchell, placed on the detached officers' list.

Second Lieut. Otto de Lorenzi, Coast Artillery Corps, vice First Lieut. James L. Keane, placed on the detached officers' list.

Second Lieut. Richard M. Kew, Coast Artillery Corps, vice First Lieut. John A. Messerschmidt, placed on the detached officers' list.

Second Lieut. Alexander G. Campbell, Coast Artillery Corps, vice First Lieut. Henry Linsert, placed on the detached officers' list.

Second Lieut. Ernest R. Campbell, Coast Artillery Corps, vice First Lieut. Donald L. Dutton, placed on the detached officers' list.

Second Lieut. Joseph G. Pringle, Coast Artillery Corps, vice First Lieut. Leland A. Miller, placed on the detached officers' list.

Second Lieut. John W. Card, Coast Artillery Corps, vice First Lieut. John B. Day, placed on the detached officers' list.

Second Lieut. Jack Phinzy, Coast Artillery Corps, vice First Lieut. Carl R. Adams, placed on the detached officers' list.

Second Lieut. Manly B. Gibson, Coast Artillery Corps, vice First Lieut. Byron T. Ippock, placed on the detached officers' list.

Second Lieut. Charles H. Hagelstein, Coast Artillery Corps, vice First Lieut. Raymond H. Schutte, placed on the detached officers' list.

Second Lieut. Huntington R. Hardwick, Coast Artillery Corps, vice First Lieut. Claude G. Benham, placed on the detached officers' list.

Second Lieut. Robert C. Jordon, jr., Coast Artillery Corps, vice First Lieut. Willard W. Irvine, placed on the detached officers' list.

Second Lieut. Malcolm S. Cone, Coast Artillery Corps, vice First Lieut. Charles S. Erswell, placed on the detached officers' list.

Second Lieut. Alvah E. Moody, Coast Artillery Corps, vice First Lieut. Lewis Merriam, jr., placed on the detached officers' list.

To be first lieutenant with rank from November 7, 1917.

Second Lieut. Robert K. Gooch, Coast Artillery Corps, vice First Lieut. Stuart W. Griffin, appointment terminated November 6, 1917.

To be first lieutenant with rank from December 5, 1917.

Second Lieut. Oliver N. Hollis, Coast Artillery Corps, vice First Lieut. Henry B. Holmes, jr., promoted.

To be first lieutenant with rank from December 10, 1917.

Second Lieut. Cranston B. Rader, Coast Artillery Corps, vice First Lieut. Arvid M. Pendleton, promoted.

To be first lieutenant with rank from December 25, 1917.

Second Lieut. Cedric E. Scheerer, Coast Artillery Corps, vice First Lieut. John R. Haviland, appointment terminated December 24, 1917.

To be first lieutenant with rank from December 28, 1917.

Second Lieut. Geoffrey Marshall, Coast Artillery Corps, vice First Lieut. Oliver C. Stevens, appointment terminated December 27, 1917.

INFANTRY ARM.

To be captains.

First Lieut. Sigurd J. Simonsen, Infantry, to be captain from December 1, 1917, vice Capt. Arthur M. Ferguson, detailed in The Adjutant General's Department.

First Lieut. Thomas G. Bond, Infantry, to be captain from December 2, 1917, vice Capt. James A. O'Brien, transferred to the detached officers' list.

First Lieut. John E. Haywood, Infantry, to be captain from December 4, 1917, vice Capt. William W. Bessell, detailed in The Adjutant General's Department.

First Lieut. Willis H. Hale, Infantry, to be captain from December 19, 1917, vice Capt. Otis K. Sadtler, detailed in the Signal Corps.

First Lieut. Noe C. Killian, Infantry, to be captain from December 19, 1917, vice Capt. Resolve P. Palmer, detailed in the Signal Corps.

First Lieut. Lindsay P. Johns, Infantry, to be captain from December 19, 1917, vice Capt. James G. Boswell, detailed in the Signal Corps.

First Lieut. Walter R. Mann, Infantry, to be captain from December 29, 1917, vice Capt. Howard Donnelly, detailed in Ammunition Train.

First Lieut. Henry W. Lee, Infantry, to be captain from December 29, 1917, vice Capt. George C. Bowen, detailed in Ammunition Train.

First Lieut. Charles A. Shamotulski, Infantry, to be captain from December 29, 1917, vice Capt. Lathrop B. Clapham, detailed in Ammunition Train.

First Lieut. Sidney F. Mashbir, Infantry, to be captain from December 29, 1917, vice Capt. Henry C. Long, jr., detailed in Ammunition Train.

First Lieut. William P. Scobey, Infantry, to be captain from December 29, 1917, vice Capt. Metcalfe Reed, detailed in Ammunition Train.

First Lieut. William C. Moore, Infantry, to be captain from December 29, 1917, vice Capt. Otto A. B. Hooper, detailed in Ammunition Train.

First Lieut. Albion Smith, Infantry, to be captain from December 29, 1917, vice Capt. John C. Fairfax, detailed in Ammunition Train.

First Lieut. Le Roy Lutes, Infantry, to be captain from December 29, 1917, vice Capt. Bohun D. Kinloch, detailed in Ammunition Train.

First Lieut. Edwin D. Patrick, Infantry, to be captain from December 29, 1917, vice Capt. Paul W. Mapes, detailed in Ammunition Train.

First Lieut. Herman F. Kramer, Infantry, to be captain from December 31, 1917, vice Capt. Auswell E. Deitsch, detailed in Ammunition Train.

First Lieut. Clarence P. Evers, Infantry, to be captain from December 31, 1917, vice Capt. Thomas M. Hunter, detailed in Ammunition Train.

First Lieut. William H. Coacher, Infantry, to be captain from January 8, 1918, vice Capt. George M. Holley, detailed in The Adjutant General's Department.

First Lieut. Edward S. Johnston, Infantry, to be captain from January 8, 1918, vice Capt. Austin Allen Parker, detailed in The Adjutant General's Department.

First Lieut. John T. Henderson, Infantry, to be captain from January 9, 1918, vice Capt. Jennings B. Wilson, detailed in The Adjutant General's Department.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1917:

William R. Sayles, jr., and
Charles R. Train.

Lieut. Edgar G. Oberlin to be a lieutenant commander in the Navy from the 28th day of February, 1917.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 29th day of August, 1916:

Karl F. Smith,
Willis A. Lee, jr., and
Edwin Guthrie.

Medical Inspector Charles P. Kindleberger to be a medical director in the Navy with the rank of captain from the 15th day of October, 1917.

The following-named medical inspectors to be medical directors in the Navy with the rank of captain from the 1st day of January, 1918:

Arthur W. Dunbar and
Theodore W. Richards.

Surg. Joseph C. Thompson to be a medical inspector in the Navy with the rank of commander from the 23d day of May, 1917.

Surg. Karl Ohnesorg to be a medical inspector in the Navy with the rank of commander from the 15th day of October, 1917.

Surg. Frederick W. S. Dean to be a medical inspector in the Navy with the rank of commander from the 1st day of January, 1918.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 15th day of October, 1917:

William H. Short,
Herbert L. Kelley, and
Julian T. Miller.

The following-named surgeons to be medical inspectors in the Navy with the rank of commander, for temporary service, from the 1st day of January, 1918:

Clarence F. Ely,
Albert J. Geiger,
Perceval S. Rossiter,
Charles C. Grieve, and
John D. Manchester.

The following-named officers to be lieutenant commanders in the Navy, for temporary service, from the 1st day of January, 1918:

Howard H. Crosby,
George E. Brandt,
William C. Owen,
Francis T. Chew,
Francis Cogswell,
James McC. Irish,
John B. Staley,
Charles H. Davis, jr.,
Paul E. Speicher,
Arthur S. Carpenter,
John L. Kauffman,
Robert A. Burg,
William D. Brereton, jr.,
Harrison E. Knauss,
William R. Munroe,
Schamyl Cochran,
Albert M. Penn,
William F. Gresham,
Robert O. Baush,
Paul H. Bastedo,
John C. Hilliard,
Philip Seymour,
Frank R. Berg,
Andrew D. Denney,
Charles M. Yates,
Stuart O. Greig,
James C. Van de Carr,
John C. Cunningham,
Jabez S. Lowell,
John F. Shafroth, jr.,
Karl F. Smith,
Ernest W. McKee,
Dallas C. Laizure,
Jules James,
John F. McClain,
John R. Beardall,
Achibald H. Douglas,
Rufus King,
Timothy J. Keleher,
Howard B. McCleary, and
Willis A. Lee, jr.

The following-named officers to be lieutenants in the Navy, for temporary service, from the 1st day of January, 1918:

Leon S. Fiske,
Earl M. Major,

William F. Loventhal,
Paul R. Glutting,
Harold M. Horne,
Walter E. Borden, jr.,
Arthur T. Emerson,
Arthur C. Geisenhoff,
Grover C. Klein,
William F. Boyer,
Bartley G. Eurey,
Willard A. Kitts, 3d,
Bertram J. Rodgers,
Carroll W. Hamill,
Clinton H. Havill,
Lew W. Bagby,
Byron S. Dague,
Lyman K. Swenson,
Frank E. Beatty, jr.,
Gail Morgan,
Woodbury E. Mackay,
Gilbert F. Bunnell,
Thorwald A. Solberg,
Clifford H. Roper,
Edward P. Sauer,
Augustus J. Selman,
John H. Carson,
Milton O. Carlson,
Robert B. Carney,
Arthur W. Radford,
George F. Martin,
John A. Vincent,
Bernard F. Jenkins,
Boyd R. Alexander,
Edward L. Ericsson,
Frederick B. Craven,
Richard R. Claghorn,
Edwin S. Earnhardt,
John M. Bloom,
John E. Williams,
Jesse L. Kenworthy, jr.,
Webster M. Thompson,
Albert E. Schrader,
Louis R. Vail,
William R. Casey,
Paul S. Goen,
Archibald E. Fraser,
Harry V. Baugh,
Dennis L. Ryan,
Andrew DeG. Mayer,
Arnold H. Bateman,
Charles G. Halpine,
Charles T. Joy,
John S. Watters, jr.,
Alva J. Moore,
Walter W. Webb,
Nelson N. Gates,
Henry L. Phelps,
Benjamin R. Holcombe,
Archer W. Webb,
Charles G. Berwind,
John E. Reinburg,
William L. Keady,
John A. Terhune,
Charles J. Wheeler,
Theodore T. Patterson,
John A. Sternberg,
George P. Brewster,
Samuel P. Ginder,
Henry B. Broadfoot,
Van H. Ragsdale,
John Wilkes,
Robert J. Walker,
Robert B. Twining,
Homer L. Grosskopf,
William P. Bacon,
Henry N. Fallon,
Wilbur W. Feineman,
Maxwell Cole,
Bruce P. Flood,
Henry J. White,
Oscar W. Erickson,
Gilbert W. Sumners,
Henry C. Merwin,
Fred D. Kirtland,
James M. Steele,
Arthur D. Burhans,

Casper K. Blackburn,
Amos B. Root,
Thomas D. Warner,
Paul W. Rutledge,
T. De Witt Carr,
Albert M. Rhudy, and
Charles P. Cecil.

The following-named officers to be lieutenants (junior grade) in the Navy, for temporary service, from the 1st day of January, 1918:

Michael Higgins,
George Crofton,
William J. Creelman,
Herbert E. Fish,
Walter S. Falk,
Barnett B. Bowie,
James J. Cullen,
John P. Richter,
John R. Burkhart,
John R. Likens,
Charles Franz,
Frank O. Wells,
Thomas W. Smith,
Bernhard Christensen,
Raymond L. Drake,
Henry Lobitz,
John Danner,
James F. Hopkins,
Charles Schonborg,
Walter J. Wortman,
Alexander Stuart,
William Derrington,
Frank D. Blakely,
James F. McCarthy,
Frederick T. Montgomery,
Harry Adams,
Henry Rieck,
John Sperle, jr.,
Constantine Clay,
Roderick M. O'Connor,
William Herzberg,
Jarrard E. Jones,
Zenas A. Sherwin,
Paul R. Fox,
Otto Boldt,
John B. Martin,
Arthur H. Hawley,
David W. Harry,
Charles S. Wolf,
George R. C. Thompson,
Olav Johnson,
Ole P. Oraker,
Byron C. Howard,
William S. White,
Francis G. Randall,
Franz J. M. Parduhn,
Henry I. Edwards,
Christopher Murray,
John P. Judge,
John C. Lindberg,
Birney O. Halliwill,
Albert Seeckts,
William C. Bean,
James A. Martin,
William H. Dayton,
Edward W. Furey,
Arthur W. Bird,
Willis Dixon,
Charles Allen,
Adolph Peterson,
William E. O'Connell,
Harry T. Johnson,
Harry N. Huxford,
Thomas James,
William Fremgen,
Daniel W. Nelson,
Joseph H. Aigner,
Clarence D. Holland,
Frederick T. Lense,
Axel V. Kettels,
John W. Merget,
Albert A. Hooper,
Harry Champeno,
George R. Veed,
Niels A. Johnsen,

Isidor Nordstrom,
Charles H. Foster,
James H. Bell,
John J. Clausey,
Charles H. Anderson,
Edward S. Tucker,
Charles Dunne,
George J. Lovett,
Walter Collins,
Frederick W. Teepe,
Edwin W. Abel,
Albert C. Byrne,
George L. Russell,
Orrin R. Hewitt,
Otto T. Purcell,
William R. Gardner,
Joseph R. Bradshaw,
George W. Fairfield,
William M. Miller,
Joseph C. Stein,
Louis F. Miller,
Robert M. Huggard,
Paul B. Cozine,
Earl F. Holmes,
John Atley,
Gregory Cullen,
Bertram David,
George Knott,
Thomas Macklin,
Richard O. Williams,
Michael Macdonald,
Charles S. Schepke,
George D. Samonski,
William O. King,
James E. Orton,
William Cronan,
Charles L. Bridges,
Arthure Langfield,
Albert Klingler,
John Ronan,
William Seach,
William T. McNiff,
Meade H. Eldridge,
Ernest R. Piercey,
William R. Buechner,
Bernhard Schumacher, and
Benjamin F. Singles.

Lieut. Maurice R. Pierce to be a lieutenant commander in the Navy, for temporary service, from the 18th day of January, 1918.

Lieut. Charles L. Best to be a lieutenant commander in the Navy, for temporary service, from the 23d day of January, 1918.

Lieut. (Junior Grade) Calvin T. Durgin to be a lieutenant in the Navy, for temporary service, from the 18th day of January, 1918.

Lieut. (Junior Grade) Humbert W. Zirolti to be a lieutenant in the Navy, for temporary service, from the 23d day of January, 1918.

Ensign Charles B. Babson to be a lieutenant (junior grade) in the Navy, for temporary service, from the 15th day of October, 1917.

The following-named chief warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of July, 1917:

Charles B. Babson,
Thomas W. Smith,
William Derrington, and
Henry McEvoy.

Machinist Claude S. Padgett to be an ensign in the Navy, for temporary service, from the 15th day of August, 1917.

Boatswain Walter B. Buchanan to be an ensign in the Navy, for temporary service, from the 10th day of October, 1917.

The following-named officers to be ensigns in the Navy, for temporary service, from the 31st day of January, 1918:

William M. Fester,
Clarence E. Miller,
Homer E. Curlee,
Stuart L. Johnson,
Joe B. Cadenbach,
John L. Kershaw,
Patrick H. Foley, and
Harold D. Kent.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 31st day of January, 1918:

William J. Lowe,
Thomas F. Eagan,
Carl H. Forth,

William W. Funk,
Ivan E. Pitman,
Henry C. Vogt,
Vern W. McGrew,
Frank A. Jahn,
Gustave O. Kolle,
Robert N. Lockart,
Conrad L. Bayer,
Edward J. Sherry,
Richard E. Miegel,
William T. Crone,
Albert F. Holst,
Gilbert R. Whitworth,
Conrad E. Nordhus,
Arthur E. Redding,
Richard Higgins,
David R. Knape, and
Marcus L. Kurtz.

The following-named officers of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 31st day of January, 1918:

John F. W. Gray,
Gysbert V. S. Harvey,
James L. Lohrke,
Fred P. Ritchie,
John G. Kenlon,
Hancock Banning, jr., and
Enoch S. Farson, jr.

Ensign Michael Spring, of the National Naval Volunteers, to be an ensign in the Navy, for temporary service, from the 31st day of January, 1918.

The following-named officers to be rear admirals in the Navy, for temporary service, from the 1st day of February, 1918:

Joseph Strauss,
Edward W. Eberle, and
Robert E. Coontz.

The following-named officers to be captains in the Navy, for temporary service, from the 1st day of February, 1918:

Leigh C. Palmer,
Albert W. Marshall,
Thomas A. Kearney,
Dudley W. Knox,
Edward McCauley, jr.,
William L. Littlefield,
Earl P. Jessop,
Arthur Crenshaw,
Amon Bronson, jr.,
Harry E. Yarnell,
Arthur MacArthur,
David E. Theleen,
Arthur J. Hepburn,
Thomas C. Hart,
Cyrus R. Miller,
Orin G. Murfin, and
Luther M. Overstreet.

The following-named officers to be commanders in the Navy, for temporary service, from the 1st day of February, 1918:

David McD. LeBreton,
Andrew C. Pickens,
Nathaniel H. Wright (additional number),
Prentiss P. Bassett,
Husband E. Kimmel,
Robert A. Dawes,
Paul E. Dampman,
Clyde S. McDowell (additional number),
Paul P. Blackburn,
Charles C. Soule, jr.,
Charles H. Bullock,
Lawrence P. Treadwell,
Halsey Powell,
Forde A. Todd,
Cleon W. Mauldin,
Chester L. Hand,
Aubrey K. Shoup,
Abram Claude,
Nathan W. Post,
William F. Halsey, jr.,
Roscoe F. Dillen,
Allen B. Reed,
Christopher R. P. Rodgers,
David W. Bagley,
Walter A. Smead,
Arthur C. Kail,
Clarence E. Wood,
Max M. Frucht,

Charles S. Joyce,
Ormond L. Cox (additional number),
Royal E. Ingersoll,
Herbert F. Leary,
Chester W. Nimitz,
Reuben B. Coffey,
Joseph V. Ogan,
Albert T. Church (additional number),
Logan Cresap,
John N. Ferguson,
Louis C. Farley,
Arthur C. Stott,
William C. McClintic,
Byron McCandless,
Roscoe C. MacFall,
Robert L. Irvine,
Bruce L. Canaga, and
Walter B. Woodson.

Pvt. Robert A. Barnet, jr., Marine Corps Reserve, to be a second lieutenant in the Marine Corps, for temporary service, from the first day of February, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 13, 1918.

TO BE ASSISTANT TREASURER.

Willard B. Vandiver to be Assistant Treasurer of the United States at St. Louis, Mo.

TO BE SOLICITOR OF THE DEPARTMENT OF LABOR.

John W. Abercrombie to be Solicitor of the Department of Labor.

APPOINTMENT IN THE ARMY.

Rev. James Thomas Moore to be chaplain.

PROVISIONAL APPOINTMENTS IN THE ARMY.

INFANTRY ARM.

To be second lieutenants.

Harry A. Seymour,
Edward J. Oliver,
Ralph K. Fletcher,
Thomas R. McCarron,
LeRoy Warring Wilson,
Oscar Peace Hilburn,
Ray Archie Martin,
Thomas Franklin Troxell,
Thomas Entekin Hibben,
Vance Lawton Richmond,
Earle Trask Loucks,
Alfred Dorrance Cameron,
Herbert Sutherland Havens,
Joseph Eldridge Pierce,
John Goldthwait Davis,
William Ewart Gladstone Cooper,
George Hunter Passmore,
Wayne Marshall,
George Orenthus Allen Daughtry, jr.,
Eugene Joseph Minarelli Fitz-Gerald,
Frank Brevard Hayne, jr.,
Newton Gale Bush,
Paolo Hoffoss Sperati,
Alan Lindsay Hart,
Worden Henry Cowen,
Russell Lincoln Bonnell,
Harold Louis Morian,
LeRoy Welling Nichols,
Francis Dundas Ross,
Keith Francis Driscoll,
Harvey J. Silvestone,
Charles Martin Chamberlain, jr.,
Harry Barnes Sepulveda,
Sherman Lawrence Hougen,
Melvin Pratt Spalding,
Bernard Meredith,
Harold G. Johnstone,
Manoah Newton Swetnam,
William Fenton Newton,
Andrew Frederick Hassel,
Edward Reynolds Schaufliker,
Louis Arthur Kuerzi,
Orlando Cobden Brown,
Frank Henry Hollingsworth,
Keelah Bouve,
Thomas Aloysius O'Brien,

Edward Andrew O'Malley, jr.,
 Francis M. Fuller,
 Sidney Abdill Sands,
 Christian Allen Schwarzwaelder,
 Allan Benjamin Clayton,
 Howard Nichols Merrill,
 George Stanley Victor Little,
 Gordon F. Stephens,
 William Mac Gregor Hall,
 William Oscar Nelson,
 Pierce Butler, jr.,
 Albert Carder Ames,
 Charles Lawrence Bolte,
 William A. Moss,
 Eugene Crehan Callahan,
 William Howell Duncan,
 John Bliss Brainerd, jr.,
 Theodore F. Wessels,
 Edward Law,
 Sherman K. Burke,
 Arthur J. McChrystal,
 Reynier Jacob Wortendyke, jr.,
 Malcolm Fraser Lindsey,
 Willard Smith,
 Jean Elsworth Nelson,
 Kirkwood Duval Scott,
 Horace Oscar Cushman,
 William Maine Hutson,
 Thomas Maury Galbreath, jr.,
 Carter Glass, jr.,
 Lambert Alexander Wood,
 Thomas Phillips,
 David Henry Finley,
 Robert Sayre Fitz Randolph,
 Eli A. Barnes,
 Richard Francis Bailey,
 Myron Morris Andrews,
 Richard Stillings Hevenor,
 Albert Edward Purchas, jr.,
 Bryan Grimes Dancy,
 Vinton Lee James, jr.,
 William F. Campbell,
 Louis Tulane Bass,
 Charles J. Carey,
 Stuart Cutler,
 Elbert Gary Spencer,
 John Reuben Boatwright,
 Graeme K. Howard,
 Lester Nelson Allyn,
 Henry Lester Barrett,
 Howard W. Sears,
 Raphael Semmes,
 Robert Edward McDonald,
 Elmer R. Ames,
 Thomas Samuel Morrison, jr.,
 Raymond R. Tourtillott,
 George Albert Hadd,
 Leo Augustine Dunbar,
 James S. Candee,
 Joseph Purnell Cromwell,
 Harry Mash Mayo, jr.,
 Bernard P. Hoey,
 Arleigh Lyle Willis,
 Eustace Peabody Strout,
 Wallace William Parker,
 Ray Maxey Hare,
 Walter Francis Mullins,
 Henry Lord Page King,
 Craig Parsons Cochrane,
 Harry W. Koster,
 Alfred James McMullin,
 Eugene Elliot Pratt,
 Julien Hequembourg Needler,
 Frank Joseph Knell,
 Gerald Leonard Marsh,
 William A. Wieland,
 John Conrad Cattus,
 Edmond Sheppard Donoho,
 Donald Newman Swain,
 John Frank Mead,
 Charles McFarland Petty,
 Harold A. Black,
 Robert Joseph McElroy,
 George Phillip Seneff,
 Harry C. Boehme,

Russell G. Ayres,
 William A. Wappenstein,
 Charles H. Owens,
 Carter Collins,
 Clarence Earle Lovejoy,
 William Ayres Gray, jr.,
 Hays Matson,
 George Edwin Abrams,
 Clifton Rodes Breckinridge, jr.,
 Charles McKnight, jr.,
 Richard Lee Tayloe,
 Albert D. Foster,
 Ralph Eberlin,
 Edward T. Harrison,
 Donald P. Spalding,
 Ereil D. Porter,
 Warner Harwood,
 Clyde Alexander Fowler,
 Laurence Jerome Potter,
 Claude Alfred White,
 Brayton Wilbur,
 John Franklin Farnsworth,
 Chester Boothe Blakeman,
 Henry Norris Bakken,
 Archer L. Lerch,
 Rodney S. Sprigg,
 Milton W. Emmett,
 John Arthur Pierce,
 Wendell Lapsley Clemenson,
 Jonathan W. Edwards,
 William Hill Thomas,
 Charles James Deahl, jr.,
 Frank Macdonald Ogden,
 Bruce Field Higgenbotham,
 William Otway Owen,
 Arcadi Gluckman,
 Reginald Dunham Grout,
 Dale Milton Hoagland,
 Charles Augustin Campbell, jr.,
 Maurice Webster Ocheltree,
 Roy T. Rouse,
 Ivan B. Snell,
 Wendell Westover,
 James Wilson Rice,
 William Edgar,
 Gustav Henry Lamm,
 James Polk Gammon,
 James Arthur Giacomini,
 Henry K. White,
 Alva William Snyder,
 Ralph Pierce Van Zile,
 Talbot Bass Fowler,
 Matthew Francis Garvey,
 Samuel Littler Metcalfe,
 Frank Wilbur Halsey,
 Kirby Green,
 Myron Joseph Conway,
 Harold Clifton Reed,
 Samuel Hamilton Ladensohn,
 Clyde Arthur Ames,
 Irwin Lytle Lummis,
 Joseph Glenn Babb,
 Hollis Benjamin Hoyt,
 Clarence Morrill Collord,
 Russell Leamer McKown,
 Frederick Wright Hackett,
 Roy George Rom,
 Fred H. Reynolds,
 Van Courtright Walton,
 Matthew Weaver Steele,
 Lawrence Walter Marshall,
 John August Otto,
 Joseph Burton Sweet,
 Walter David Luplow,
 Carey Jarman,
 John Horatio Helmer,
 Sidney Preswick Howell,
 Henrik Antell,
 John Lionel Weeks,
 Arthur Gustavus Levy,
 Lewis R. Byington,
 Cecil W. Borton,
 Donald Finerman,
 Harper Allen Holt,
 Leon Lightner Kotzebue,

Leander Ivon Shelley,
 Arvid P. Croonquist,
 James Edward Cole, jr.,
 Roger Morton,
 Gunther Orsinger,
 Gregory Alexander Harrison,
 Paul McCauley Boston,
 Elmer Leroy Mott,
 Thomas Reed Holmes,
 Harold Whitcomb Batchelder,
 Jay Hawenstine Cushman,
 John Percy Redwood,
 Robert Henry Engle,
 Samuel Young Dinkins,
 Roscoe Irwin Mac Millan,
 Nicholas Dodge Woodward,
 Henry Robert Horak,
 James Francis Burke,
 Henry Carroll Switzer,
 William Kenneth Dickson,
 Clarence Ames Martin,
 Elmer John Croft,
 Mark Gerald Brislawn,
 Edgar Leon Noel,
 Henning Linden,
 Gerold Edward Luebben,
 Thomas White Proctor,
 Robert Francis Kelley,
 George Jabez Leftwich, jr.,
 Neely Powers,
 Harrison Gardner Reynolds,
 Trevor Washington Swett,
 George Read, jr.,
 James Clayton Clements,
 Charles Huntington Jacobs,
 Hanford Mac Nider,
 Alexander Dickson Wilson,
 Edward Newton Wigton,
 Eric Frederick Pihlgard,
 Leslie N. Ross,
 Arthur Warren Mudge, jr.,
 Thomas Harry Nicholl,
 James Leslie Hubbell,
 Benjamin Hoyt Decker,
 Walter Alexander Dumas,
 Edwin Emerson Keatley,
 W. R. Barksdale Stevens,
 Earle Lucas Hazard,
 Moses Taylor, jr.,
 George Holladay McKee,
 Leet Wilson Bissell,
 William Blackburn White,
 George Comfort Parkhurst,
 Luther Wight Turner,
 William Hornbeek Deyo,
 Francis Wesley Dunn,
 Don Magruder Scott,
 Allen Wylie Cook,
 Robert Edward Wysor, jr.,
 Robert Dechert,
 James E. Wharton,
 William Ozman Wyckoff,
 Carleton Smith,
 Paul Conover Gripper,
 Martin Dunlap Barndollar, jr.,
 Raymond Clarence Alley,
 Francis C. Lewis,
 Lewis Simons,
 James Harold Day,
 James Moore Austin,
 Albert Watson Vinal,
 Paul Grattan Corker,
 Hiram Russell Ide,
 James Alfred Rogers,
 Randolph Randall Brown,
 Leon Roy Mead,
 Harold Cyril Conick,
 Loren A. Wetherby,
 James Joseph Coghlan,
 Samuel Hazzard Cross,
 Carl Unversacht Luers,
 Bernard Butler McMahon,
 Carlton Banigan,
 Winchester Kelso, jr.,
 George Edwin Fingarson,

Leaver Richardson,
 Lawrence Mitchell York,
 James Frank Lilley,
 Elwood Miller Stokes Steward,
 Herbert Leroy Scales,
 Ernest Albert Rudelius,
 Joseph Welch Emery, jr.,
 William Lee Blanton,
 Harold Eugene Sturcken,
 Milton Petersen,
 Gillette Hill,
 Stuart Mortimer Firth,
 Porter Pise Wiggins,
 Eugene Willford Markey,
 Barnard Pierce,
 Robert Armstrong Cochran,
 Proctor Calvin Gilson,
 Paul Bacon Matlock,
 Charles Wordsworth Nevin, 2d,
 William Lambert Kleitz,
 Orville William Harris,
 Stanley Raymond Putnam,
 Harold Dean Comey,
 John Thomas Zellars,
 Alexander Coldclough Dick,
 Richard Alfred McClure,
 Robert Kinloch Massie, jr.,
 Twomey Michael Clifford,
 Harry Andrew Welsch, jr.,
 Tranny Lee Gaddy,
 Dennis Joseph O'Toole,
 Melvin Holmes Leonard,
 Ben Corley Marable,
 Arthur Adolph Weiskopf,
 Francis Osborn Noble,
 John Adams Ballard,
 Harry Hood Martin,
 Herbert T. Perrin,
 Arthur Wallace Pope, jr.,
 Joseph Bartholomew Conmy,
 Emons Bert Whisner,
 George Wesley Griner, jr.,
 Hugh Tullock Mayberry,
 Charles Duke Pearce, jr.,
 Edward Dickinson McDougal, jr.,
 Phillip Wager Lowry,
 Charles Paine Winsor,
 John Doble,
 Moses McKay Darst,
 Robert Reese Smith,
 Evan C. Dresser,
 James Gates Carr,
 Daniel Ely Farr,
 Chester McNutt Woolworth,
 Roland Malone Glenn,
 Harry Staples Robertson,
 Lawrence Moss Arnold,
 Arthur Reynolds Knott,
 Samuel O'Connor Neff,
 Phillip Edward Brown,
 Olaf Phillips Winningstad,
 Raymond Merlin Myers,
 Paul Snowden Russell,
 Herbert Coleman Smith,
 Edward Nahum Mitchell,
 James Albert Van Sant,
 William Eugene Stanley,
 Frank Shepherd Spruill, jr.,
 George Arthur Davis,
 Laurin L. Williams,
 George Van Wyck Pope,
 Edwin Manly Allison,
 George Ellsworth Butler,
 Edgar Lewis Clewell,
 Herbert Arthur Buermeyer,
 Leo Roy Moody,
 William McLean Christie,
 Leon Draper Gibbens,
 Mark Merton Grubbs,
 Robert Alexander Kinloch,
 Joel Rankin Burney,
 Franklin Prague Shaw,
 Winfield Harrison Scott,
 Arthur Gilles Davidson,
 Harold Ashlyn White,

Campbell Nelson Jackson,
 Joel Albert Flite,
 James Alexander Black,
 Clarence R. Peck,
 Glenn Gordon Hall,
 Charles Clifford Gillette,
 Wallace Eugene Hawkins,
 Ralph Morton McPaul,
 Forrest Prow Barrett,
 Beal Hendrix Siler,
 Emmett George Lenihan,
 Edward Hines, jr.,
 Bird Little,
 Evan Charles Williams,
 James Allan O'Neill,
 Coulter Malcolm Montgomery,
 Einar Walter Chester,
 James Allen Griffin,
 Guy Cummins McKinley, jr.,
 Gordon Prescott Savage,
 Harold Hugh McClune,
 Kingsley Barham,
 Lester Earl MacGregor,
 Harold Pearson Gibson,
 Lloyd Ross Besse,
 Willard John Mason,
 Percival Robert Bowey,
 Hugh Merle Elmendorf,
 William Nevin Given,
 Charles Fearn Sutherland,
 Lance Edward Gowen,
 Edward Payson Hayward,
 Gilbert Everhard Parker,
 Francis Beeston Myer,
 Arthur Seymour Nevins,
 Gustave Villaret, jr.,
 Horace Edward Watson,
 Lester Austin Webb,
 Royal Crosby Carpenter,
 Edwin Sanders Van Deusen,
 Robert Stanley Boykin,
 Edward Morris Ford,
 William Lawrence Phillips,
 George Alfred Hunt,
 Kenneth Gray Reynolds,
 Robert Hardwick Warren, jr.,
 Vyse Beckwith Whedon,
 John Walcott,
 Philip Harrison Condit,
 John Ernest Dahlquist,
 Russell Symonds Fisher,
 Luther Kennedy Brice,
 John Mitchell Dale,
 Jack Edward Duke, jr.,
 Tom Sherman Brand,
 Charles Morris Ankcorn,
 James Robinson Urquhart,
 John Walter Saladine, jr.,
 Morrill Watson Marston,
 Morrison Chalmers Wood,
 Alymer Bluford Atkins,
 Robert Robinson,
 John Dwight Filley, jr.,
 William Edward Bergin,
 John Ollis Crose,
 Samuel Robert Epperson,
 Leslie Fisher Tanner,
 Frederick Levenworth Bramlette,
 Benjamin Wilson Venable,
 Myron Everhart Bagley,
 John Lawrence Murphy,
 John William Freels,
 Eugene Faber Gillespie,
 George Warren Setzer, jr.,
 James Bragdon Mudge,
 Allan Hanson Snowden,
 Earl Leslie Renhstorff Askam,
 Irvin Levi Swanson,
 Philip Delano Richmond,
 William Walter Timmis,
 Gayle McFadden,
 Burt Eugene Skeel,
 Henry Augustus Brickley,
 Thomas Patrick Barry, jr.,
 Roger Wisner,

Merril Virgil Reed,
 A. Pledger Sullivan,
 Douglas Outlaw Langstaff,
 Ralph Watson Hickey,
 George Keyes Page,
 Thomas Lewis Reese,
 William Burbridge Yancey,
 Leo James McCarthy,
 Griffin Duff Vance,
 Earl Franklyn Paynter,
 Joseph Michael O'Grady,
 Clifford Ruskin Wright,
 Donald McGill Marshman,
 John Scott Coleman,
 Harrison Bruce Beavers,
 Elbridge Colby,
 Herbert Daskum Gibson,
 Goulding Kumler Wight,
 Harry Squire Wilbur,
 Albert Sigfred Johnson,
 Clarence Otis Black,
 Paul Blassengame Robinson,
 William Lamont Coulter,
 Glen Elroy McCarthy,
 Joseph Henry Hinwood, jr.,
 Russell Fleming Walthour, jr.,
 James Crawford DeLong,
 Joseph Patrick Lawlor,
 Timothy Asbury Pedley, jr.,
 Charles Norton Owen,
 Charles Russell Gideon,
 Archie MacInnes Palmer,
 Jack Breeden Chadwick,
 John Raymond Bair,
 James Sullins Varnell,
 Arthur Ferdinand Dahlberg,
 Russell Comstock Chapman,
 Edwin Turner Bowden,
 Eugene Mark Frederick,
 Cassius Hayward Styles,
 Fisher S. Harris,
 Frederick John Slackford,
 George Fisher Dashiell,
 Ray Edison Porter,
 Frank Exley Barber,
 Julian Erwin,
 John Earl Brannan,
 George Washington Brodie, jr.,
 Waldron Joseph Cheyney,
 Edward Russell Jobson,
 Albert Sidney Lewis, jr.,
 Edward Seguin Couch,
 William Joseph Devine,
 Edward Huger Carpenter, jr.,
 Charles Campbell Brooks,
 Gordon Kaemmerling,
 Francis Relyea Holmes,
 William Volney Rattan,
 Roswell Eric Hardy,
 Wilbur Copley Herbert,
 Ross Martin,
 Alexander McCook Craighead,
 William Mason Smith, jr.,
 James Mansfield Symington,
 Herron White Miller,
 Maurice Russel Fitts,
 Marvin Rood Dye,
 Emanuel Reyenthaler Wilson,
 William Irving Truitt,
 Lloyd Zuppann,
 John Kirkland Rice,
 Hammond Davies Birks,
 James Holden Hagan,
 Lester Smith Ostrander,
 Edward Tannahill White,
 Edward Allen Whitney,
 Arthur Brinton Jopson,
 Charles Paul Cullen,
 Frederick Harold Gnarini,
 Roscoe Bunyan Ellis,
 John Albert Langan,
 Jeremiah Emmet Murphy,
 Edward Gibson Perley,
 Frank Milton Conroy,
 Charles Spurgeon Johnson,

Albert Ralph Boomhower,
 Hugh Andrew Wear,
 George Allan Miller,
 David Loring, jr.,
 Stockbridge Carleton Hilton,
 James Dixin Everett,
 Gordon Congdon King,
 Jackson Roger Sharman,
 Harvey Clark McClary,
 Willard James Freeman,
 Jay Melvin Fields,
 George Anthony Horkan,
 Samuel Craumer Thompson,
 Harry Winant Caygill,
 Emery St. George,
 David Dean Barrett,
 William Willard Burke,
 Arthur Dudley Fay,
 William Barney Pitts,
 Thomas Harry Ramsey,
 Paul Delmar Davis,
 Lewis Burnham Rock,
 Gaillard Pinckney,
 Benjamin Franklin O'Connor,
 Fred Currie Milner,
 William Parks Driskell, jr.,
 George Kenney Bowden,
 Lloyd Wallace Georgeson,
 Francis Marion Darr,
 William Clarke Webster,
 Francis Thomas Ward,
 Frederick William Wendt,
 William C. Thurman,
 Robert Eviston Shideler,
 Oliver William Fannin,
 Charles Frost Craig,
 Arthur Leland Turner,
 Henderson Donaldson Emery,
 Oscar K. Wolber,
 Russell Slocum,
 Karl Eugene Henion,
 Thomas Lindsay Creekmore,
 George Orial Clark,
 William Carrington Stettinius,
 Russell J. Potts,
 William Hoover Craig,
 John Rupley Schwartz,
 Thaddeus C. Knight,
 Ollie William Reed,
 Frank Ewell Boyd,
 Louis Wilsom Maddox,
 Clark Olds Tayntor,
 Ernest Eugene Stansbery,
 Malvern Jesse Nabb,
 Andrew Henry Hilgartner,
 John Clyde Glithero,
 Eugene Phillip Watkins,
 Richard Noble Armstrong,
 Phillip John Sexton,
 W. Fulton Magill, jr.,
 Harry Curry,
 Ethan Allen Hitchcock Shepley,
 Otis Bearl Adams,
 Millard Fillmore Staples,
 Hugh Henderson Drake,
 Joseph Herbert Kelleher,
 Benjamin Risher Sleeper,
 James Joseph Kelley,
 Walter Byron Fariss,
 Robert John Wagoner,
 William Edgar Vernon,
 Felix V. Embree,
 William Thomas Makinson,
 Clarence Ewir Allen, jr.,
 George F. Herrick,
 Joseph Williams McCall, jr.,
 John Richard Hunneman,
 Winfred Earl Merriam,
 Laurence MacHatton Tharp,
 Clive A. Wray,
 Donald Potter Vail,
 Thomas Brevard Steel,
 Douglas Brooks Baker,
 Harold Hunter White,
 Thomas Watson Butler,

Everett Busch,
 Frank Gordon Busteed,
 Frank Laurie Scott, jr.,
 John Wilbur Heisse,
 Douglas Geoffrey McGrath,
 Stephen Clough Peabody,
 Max Bernstein,
 Herschel Vespasian Johnson,
 William Bernard Clark,
 Stewart Darden Hervey,
 James Lee Blanding,
 Frank Joyce Pearson,
 J. Gordon Hussey,
 Lester Thomas Miller,
 Leo Donovan,
 George Edwin Kirk,
 Frank Welch Hayes,
 Vincent Rochester Bartlett,
 Samuel Merrill Bemiss,
 Richard Lawrence Holbrook,
 James King Hoyt, jr.,
 Julian Gilliam Hart,
 William Murray Leffingwell,
 John Theodore Sunstone,
 Arthur Bee McDaniel,
 Harold Henry Schaper,
 Randall Thomas Kendrick,
 Percy McCay Vernon,
 Samuel Ward Perrott,
 Jay Albert Richardson,
 Milton Whitney, jr.,
 Emile James Boyer,
 Harry Melvin Bardin,
 Joseph Phocion Gullet,
 Leander Forest Conley,
 Paul Patrick Reily,
 Peter J. Lloyd,
 Paul Stuart Buchanan,
 Cranston Gullatt Williams,
 Lewis Berkeley Cox,
 Theodore Morton Cornell,
 Launcelot Minor Blackford,
 Frederick Webster Deck,
 Fernand George Dumont,
 Stephen Young Mann,
 Joseph Houston Payne,
 George Elmer Braker, jr.,
 Paul Vincent Kellogg,
 Langdon Douglas Wythe,
 John Osborne Flaute, jr.,
 Giles Frederic Ewing,
 Fred William King,
 Ivy Winfred Crawford,
 John Stone Fishback,
 Robert Saxton Downing,
 Clement Austin Reed,
 George Mountford Hancock,
 Jesse Benjamin Smith,
 Selden Spencer Smith,
 John Reed Hodge,
 Arthur Richard Walk,
 Leslie Egner Toole,
 Lewis Aloysius List,
 James Frederick Johnson, jr.,
 Francis Murray Brady,
 Eubert Harrison Malone,
 Wayne William Schmidt,
 Theodore Wright Crossen,
 James Footville Butler,
 Herbert Gerhard Peterson,
 Truman Morris Martin,
 Herman Livingston Rogers,
 Veno Earl Sacre,
 Warner Bernie Van Aken,
 Richard Gardiner Plumley,
 Charles Rexford Davis,
 Cecil Leland Rutledge,
 Theodore Christian Gerber,
 Charles John McCarthy, jr.,
 Robert William Duthie,
 James Nathaniel McClure,
 Garth Bly Haddock,
 Maurice Thompson Moore,
 Charles Hutchins McMahon,
 Lawrence Leonard William Meinzen,

Courtland Marcus Hulings,
 Alan Erlenborn,
 George LeConte Ramsey,
 John Johnson Albright,
 Robert Jones King,
 Raymond Edwin Vermette,
 Alexander Adair,
 Edward Streicher Rothrock,
 Grant Alexander Schlieker,
 Raymond Joseph Hurley,
 Elmer Ellsworth Stone, jr.,
 Burnett Forrest Treat,
 William Grant Hilliard, jr.,
 Albert Cushing Cleveland,
 Leslie Marshall Skerry,
 Walter Carper Phillips,
 Anthony Joseph Touart,
 Henry Percy Gray,
 Dan Harold Riner,
 Robert Morriss Browning,
 Malcolm Palmer Bail,
 Arthur E. Easterbrook,
 Gordon Cumming,
 Raymond Boyd Jauss,
 Thaddus Ernest Peterson,
 Harry John Collins,
 Edgar V. Maher,
 Guy Blanton Hazelgrove,
 George Anderson King, jr.,
 Henry Paul Hollowell,
 Chester Franklin Price,
 Harley Martin Kilgore,
 Richard Johnson Broyles,
 Will Ellis May,
 William Rinehart Jutte,
 John Norris Zigler,
 Herbert Clinton Smith,
 Plautus Ibern Lipsey,
 Marshall Hood McCarthy,
 Henry Ide Eager,
 George Prather Van Ripper,
 Edmund Serle Bell,
 Archie Winning Hutton,
 Charlton Mayer Theus,
 Harold Reimers Bechtel,
 Thomas Harry Frost,
 Robert Ernest Archibald,
 Harold Bayless Alexander,
 Buhl Moore,
 Jesse Faust Wentz,
 Henry Donald Paton,
 Felix Taber Simpson,
 Chauncey Vernon Crabb,
 Harry Joseph Rockafeller, jr.,
 Frank Columbus David,
 John White Easley,
 Adrian Robert Brian,
 Burton Loren Lucas,
 Elijah Garrett Arnold,
 Russell R. Riddell,
 Walter Russell Ketcham,
 George Stephen Wear,
 Wilbur Fisk Littleton,
 William Huger Labouisse,
 Walter Throckmorton Scott,
 Elizur Kirke Hart Fessenden,
 John Emmett Curran,
 John Wilson O'Daniel,
 John Snader McCloy,
 Frederick Winant, jr.,
 Smith Goodwin Fallaw,
 Harry Dalton Kendrick,
 Howard Wallace Cowan,
 Walter Eugene Perkins,
 Evan Haynes,
 Joseph Richard Busk,
 Alonzo Loveland Johnston,
 Andrew Lyman Cooley,
 Harry Frank Thompson,
 Leonard Corydon Barrell,
 James Aloysius McCarthy,
 Carl McKee Innis,
 William Henry Allen,
 William Ernest Paschal,
 Faxon H. Bishop,

Benjamin Witwer Pelton,
 Joseph William McKenna,
 Lyman Hague Thompson,
 Francis Aaron Cochrane,
 Thomas Brounlee Longre,
 Paul Leon Porter,
 Thomas Cherrington Vicars,
 Losco Lafayette McDaniel,
 Stanley Joseph Grogan,
 Henri Wolbrette,
 Robert Brice Waters,
 Lloyd Bidwell Jones,
 Stonewall Jackson,
 Hamilton Fish Armstrong,
 Henry Carrington Jordan,
 Robert Elting Woodward,
 Gerald Preshaw,
 William Kenyon Lloyd,
 Harold Quentin Moore,
 Reuben Samuel Parker, jr.,
 Ward Rathbun Clark,
 Charles Davis Jencks,
 Warner Beardsley Gates,
 Francis Scott Fitzgerald,
 Max Albert Tuttle,
 William Miller Bouknight,
 Farlow Burt,
 Warren Joseph Clear,
 Philip Henry Didriksen,
 Oscar Joseph Neundorfer, jr.,
 Westwood Bowden Hays, jr.,
 Henry Atwater Van Dyke,
 Frederick Aloysius Norton,
 Allen Williamson Talley,
 Wellborn Saxon Priddy,
 O. D. Wells,
 Russell Thurston Fry,
 William Baker Norris, jr.,
 Lenoard Myrton Gaines,
 Madison Percy Jones,
 Ross Berry Smith,
 Samuel Irvine Anderson,
 Philip Rice Hough,
 Walter B. Huff,
 Merle J. Adams,
 Jefferson Aloysius Healy,
 Thomas Bennett Woodburn,
 Thomas Kenneth Johnston,
 James William Payne,
 Arthur Paulfrey Terry,
 William B. Wilson,
 Stanley French Griswold,
 John Thomas Dibrell,
 Wilbur Thomas Hooen, jr.,
 Edmund Jones Lilly, jr.,
 Stephen David Lankester,
 Oliver R. Hayes,
 Daniel Hail Ripley,
 Eugene Goldsmith Shrock,
 Cornelius Edward Ryan,
 Raymond William Miller,
 Thomas Garlot Hannan,
 Henry Gottfritz Young,
 John Edwin Hull,
 Charles Augustus Rawson,
 James Franklin Corn,
 Barkley Edward Lax,
 Earle Edward Horton,
 Carl Mark Rutan,
 Thomas Francis Bresnahan,
 John Campbell Cleave,
 Koger Marion Still,
 Alexander Hamilton Garnjost,
 Herbert F. Thomas,
 Donald Weldon Brann,
 Samuel Joseph Arthur Kelley,
 Arthur Arnold Baker,
 Joseph Nathan Arthur,
 Gilman Kimball Crockett,
 Thomas Edison Roderick,
 Wallace Alan Mead,
 James Henry Howe,
 James Sherman Medill,
 John Jurey Howard,
 James Kennedy Moorhead,

John Cleveland Robinson Hall,
Robert Artel Case,
Ray Winfield Harris,
John James Lyons,
Elbert Wilson Lockwood,
Charles Fuller Frizzell, jr.,
William Benjamin Oliver, jr.,
Robinson Earl Duff,
Leon Wilcomb Hilliard,
David Jenkins Ewing,
Walter Colen Blalock,
William Arthur Reid,
Hamilton Johnston,
Raymond Godfrey Lehman,
Irvine Callander Scudder,
John Russell Deane,
Richard Zeigler Crane,
George William Smith,
Hilliard Vincent MacGowan,
George Smith Berry, jr.,
Carl Harms Schroeder,
Guy Sidney Williams,
William Claude Briggs,
Christopher Sutton Robinson,
William Cadwalader Price, jr.,
Paul Samuel Beard,
Norman Bemis Chandler,
Richard Ogle Welch,
Richard Head Trippe,
Roswell Herbert Bill,
Harry Arthur Robinson,
Wright Helm Johnson,
George William Clover,
Francis Xavier Callahan,
Percy Lee Manefee,
Donald Bentley Doan,
Edwin Allan Smith,
Harvey Gwin Thomas,
Edward Walter Moses,
Richard Grant,
James Leftwich Harrison,
Roy Shedrick Meek,
Floyd C. Harding,
Rolfe Saunders Sample,
Wesley Clayton Thompson,
Charles Byron McColley,
Robert Edward Kennington,
Percy Lee Sadler,
George Luther Morrow,
Robert Weed Doye,
William Cecil Rymer,
Virgil Lourie Blanding,
George Franklin Ludington,
Henry Fletcher Martin,
Alan Grant Paine,
Irving Smith, jr.,
Frederic Clayton Stiles,
Eugene Raymond Vawter,
Charles Robert Woody,
Hugh Coy Courtright,
Evan Marshall Sherrill,
Wendell Tyng Smith,
James Wylie Arnold,
Bernard Franklin Hurless,
Dorsey Gooch Myers,
Louis James Hublas,
George Winslow Washburn,
Lynn Helm, jr.,
James Archibald Edmond,
Raymond Mathias Heckman,
Francis Robert Dunlop Holran,
Harold Tibbitts Gallagher,
Allan Prescott Tappan,
Beverly Daniel Evans, jr.,
Robert Frayser Wilson,
Milton Jarrett Norman,
James Watson Porch,
John Henry Hildring,
William Jennings Davis,
Emory Adolphus Peek,
Edward Adolph Vosseler,
William Donald McMillin,
Arthur Breckinridge Wade,
James Gideon Kyle,
John Hurst Rodman,

William Dan Powell,
Hulsey Beall Cason,
Samuel John Cole,
Louis Patrick Tiers,
David Lamson Wood, jr.,
George Giltner Bell,
Edward Thorp Lane, jr.,
James Fairbank Smith,
William Charles Louissell,
Herbert Benjamin Wilcox,
Edward Russell White,
Harold Thompson Ammerman,
Paul Harwood Plough,
Jesse Eckard Whitt,
William Emanuel Goe,
Henry Seton,
William Leonard Ritter,
Robert Winchell Patterson,
Marion Herman Cardwell,
Charles Patterson Whiteman,
Joseph Atherton Richards,
Ellis De Vern Willis,
Gerald Fessenden Beal,
Charles Henry Sears,
Druid Emmet Wheeler,
Charles Royall Lugton,
Michael Johann Perret,
Charles Herbert Eypper,
Stewart Elvin Reimel,
Douglas Power Newell,
Kendall Jordan Fielder,
Frederick Page Geyer,
George Joseph Trimble,
William Curtis De Ware,
Hugh Donald Adair,
William Ellery Loring,
Lester Clinton Wing,
Joseph Robbins Bibb,
Joseph C. Behan, jr.,
Benjamin Hilsdon Bartholow,
Irving McNeil Ives,
John Raeburn Green,
Reginald R. Bacon,
James Daniel Tucker,
Russell Conwell Snyder,
David Broome Van Pelt,
Harry Ezra Pond,
Harvey Allan Tonnesen,
Shuyler Bailey Marshall, jr.,
Neal Tuttle,
William Hubbell Emerson,
George Eddy Cook,
George Chalmers McDermid,
George Washington Young, jr.,
Pete Crisspell Black,
Eugene Hill Mitchell,
Leslie Harrod Blank,
Donald Stevens Grimm,
Benton Lamar Boykin,
Walter Michael Eugene Sullivan,
Kameil Maertens,
Raymond John Considine,
Allan James Kennedy,
John Clark Cutrer,
Clifton Rogers Gordon,
Martin Luther Howard,
Leo Joseph Farrell,
Bradford Seely Covell,
James Galt Elder,
Walter Shea Wood,
Frank Owen Stephens,
William Henry Quarterman, jr.,
Benjamin Brandon Bain,
Ira Clarence Eaker,
Tom Dunbar Halliday,
Paul Harrison Arthur,
Stanton Louis Bertschey,
Warren Miles Amerine,
Romeyn Beck Hough, jr.,
Henry Cowles Merritt, jr.,
Cheney L. Bertholf,
Dudley Edwards Bell,
Clarence Bovaird Nixon,
William Carl Glass,
Sidney Clifford,

Harry Lee Franklin,
 Isham Rowland Williams,
 Edwin L. Collins,
 John Bestor Meriweather,
 John Franck Dahringer,
 Frank George Hinman,
 Robert Edward Lee Cook, jr.,
 Colbert Sullivan,
 Grahame Molloy Bates,
 Walter Rooke Evans,
 Robert Quail Whitten,
 Edward Reese Roberts,
 Donald L. Bressler,
 Walter Ernst Lauer,
 Albert Hugh Dumas,
 Paul Shober Jones,
 Paul Thompson Baker,
 Louis Samuel Nast Phillipp,
 Albert Woodbury Emmons,
 Robert Porter Bell,
 Harold William Keller,
 Edwin William Piburn,
 James Clyde Williams,
 James Johnston McCutcheon,
 William Henry Clark, jr.,
 Kenneth Stoddard Whittemore,
 Albert Carl Maack,
 Addison Leavens Martin,
 Mack Morgan Lynch,
 Henry Philip Folwell,
 Robert Perry Mahon, jr.,
 Judson Gordon Martell,
 Frank Huber Partridge,
 Franklin Knight Kennedy, jr.,
 George Claiborne Royall, jr.,
 Herbert Crittenden Segur,
 Lynwood Herbert Smith,
 Leo Vivian Cowin,
 David Pinckney Powers,
 Stewart Alexander McHie,
 Robb Steere MacKie,
 Derrill de Saussure Trenholm,
 John Stafford Marion Cromelin,
 Walter Raymon Gartin,
 Michael Edmond Halloran,
 Idwal Hubert Edwards,
 Paul James Vevia,
 Ralph Burnham Gibson,
 Henri de La Chapelle,
 James Barclay Smith,
 Kenneth Victor Elliott,
 Martin Sims Read,
 Richardson Bronson,
 Paul Steele,
 Fred Thurston Marsh,
 Luther Nathaniel Johnson,
 Archibald Ralph Gordon,
 Earle Rowe Spaulding,
 Stanley Augustus Anderson,
 Robert Emmett Cummings,
 Philip Gerald Carroll,
 Winter Davis Horton,
 Harry Fayette Schoonover,
 Francis Letcher Lafon,
 Louis Simmons Stickney,
 Tarlton Fleming Parsons,
 John Bethea Stratford,
 John Ralston Graham,
 George Henry Gillin,
 James Larkin Dikes,
 Ben Curtis McComas,
 Kenneth B. Gunn,
 Maurice Garver Stubbs,
 Boniface Campbell,
 Cyril Kelly Richards,
 Archibald Andrew Fall,
 Vernon William Aikins,
 Frank Romaine Schucker,
 George Stewart Warren,
 John Weeks Cunningham,
 Roland Sylvester Dingley,
 John Leo Davey,
 Sam Berto Hearn,
 William Goode Wilson,
 Harry Walker Farmer,

James Martin Belwood,
 James Patrick O'Reilly,
 Henry Oscar Swindler,
 Delos Grosvenor Smith,
 Alfred Leslie Haig,
 Haskell Allison,
 Fred Othello Mills,
 Herman P. Quentin,
 George Downes Parnell,
 Bruce Glenn Kirk,
 William Dacre Hamilton,
 Davis Jones,
 Russell Skinner,
 John Hager Randolph,
 Bernard Amander Bingham,
 Burwell Alexander Atkinson,
 John Ashby Jones,
 Norris Adron Wimberley,
 Herbert Ralph Kerbow,
 Lloyd Leander Boughton,
 Stephen Edward Hurley,
 Marquis George Eaton,
 Gerald William Norman,
 Robert Leonard Hooven,
 Walton Alfred Elliott,
 John Alexander Klein,
 Arthur Harold Luse,
 Clayton Seraska Whitehead,
 William Arthur Swift,
 John Edwin Grose,
 Robert Creighton Wright,
 Kilburn Roby Brown,
 Carl Bullitt Rauterberg,
 Everett Latimer Rice,
 Lawrence A. Kurtz,
 Leland Thompson,
 Martin Stevenson Chester,
 Francis Marion Dudley,
 Marcel Henry Mial,
 Clarence Allen Ludlum, jr.,
 William Connor Samford,
 Harry Reichelderfer,
 Joseph Samuel Snyder,
 Rufus Harold Milne,
 Samuel Francis Cohn,
 Alexander Russell Bolling,
 Duncan Thomas Boisseau,
 John Thomas Lucey, jr.,
 James Leonard Garza,
 Evan Jervis Morris,
 Walter Brighton Davis,
 Robert Francis Campbell,
 John Dunbar Chambliss,
 Lewis Charles Beebe,
 John Augustus Rodgers,
 Sam Murray,
 Joseph Kilgore,
 Lewis Church Chamberlin,
 Horace Deming Wilce,
 Thomas Newton Stark, and
 Edward Hanson Connor, jr.

PORTO RICO REGIMENT OF INFANTRY.

To be second lieutenants.

Edgardo Vazquez, jr.,
 Virgil Norberto Cordero,
 Mario Cordero,
 Timoteo Sapia,
 Juan Luis Oliver,
 Eduardo Andino Romanach,
 Guillermo Geddes Latimer, and
 Rafael Pirazzi.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

INFANTRY ARM.

To be captains.

First Lieut. Joseph P. Vachon,
 First Lieut. Harry O. Davis,
 First Lieut. Floyd Hatfield,
 First Lieut. Earl Landreth,
 First Lieut. Richard T. McDonnell,
 First Lieut. Harold P. Kayser,
 First Lieut. Basil D. Spalding,
 First Lieut. Henry J. C. Humphrey,
 First Lieut. Gordon W. Ellis,

First Lieut. George L. Febiger,
 First Lieut. Theodore W. Sidman,
 First Lieut. Claud E. Stadtman,
 First Lieut. Mitchell Hilt,
 First Lieut. John B. Warfield,
 First Lieut. Clarence R. Huebner,
 First Lieut. Harold G. Lewis,
 First Lieut. Frederick McCabe,
 First Lieut. Morton L. Landreth,
 First Lieut. Irving H. Engleman,
 First Lieut. Clarence W. Emerson,
 First Lieut. Frederick J. von Rohan,
 First Lieut. Frederick Schoenfeld,
 First Lieut. Earl J. Dodge,
 First Lieut. Paul J. McDonnell,
 First Lieut. Eustis L. Poland,
 First Lieut. Curtis T. Huff,
 First Lieut. Paul Hathaway,
 First Lieut. Clarence F. Jobson,
 First Lieut. Alfred R. Hamel,
 First Lieut. Hardin C. Sweeney,
 First Lieut. Eugene M. Landrum,
 First Lieut. Arthur J. O'Keefe,
 First Lieut. James A. Anderson,
 First Lieut. Adelbert B. Stewart,
 First Lieut. William F. Lee,
 First Lieut. Donavin Miller,
 First Lieut. George W. Teachout,
 First Lieut. Clarence R. Oliver,
 First Lieut. Frederick W. Huntington,
 First Lieut. Howard J. Houghland,
 First Lieut. Thomas J. Griffin,
 First Lieut. Chester A. Davis,
 First Lieut. Conrad L. Dennis,
 First Lieut. Roland R. Long,
 First Lieut. Arthur Van Dine,
 First Lieut. Corday W. Cutchin,
 First Lieut. Charles B. Oldfield,
 First Lieut. Charles J. Allen,
 First Lieut. John L. Dunn,
 First Lieut. Raymond Wortley,
 First Lieut. William B. Wynn,
 First Lieut. Louis A. Welch,
 First Lieut. Schiller Scroggs,
 First Lieut. Charles A. McGarrigle,
 First Lieut. Alexander P. Withers,
 First Lieut. Orville E. Lewis,
 First Lieut. Lonnie H. Nixon,
 First Lieut. William F. Freehoff,
 First Lieut. Shelby Ledford,
 First Lieut. Austin A. Adamson,
 First Lieut. Charles M. Crooks,
 First Lieut. William G. Livesay,
 First Lieut. Carl J. Lambeth,
 First Lieut. Robert L. Christian,
 First Lieut. William H. Crom,
 First Lieut. George R. F. Cornish,
 First Lieut. Delphin E. Thebaud,
 First Lieut. George S. Clarke,
 First Lieut. William F. Donnelly,
 First Lieut. Adolph C. Weidenbach,
 First Lieut. Fred McI. Logan,
 First Lieut. Truman Smith,
 First Lieut. Joseph W. G. Stephens,
 First Lieut. Adolph Unger,
 First Lieut. Richard K. Sutherland,
 First Lieut. Shelby M. Tuttle,
 First Lieut. Robert G. Moss,
 First Lieut. Emil W. Leard,
 First Lieut. Walter F. Adams,
 First Lieut. Joseph N. Greene,
 First Lieut. Sereno E. Brett,
 First Lieut. Harry L. Reeder,
 First Lieut. Jay E. Gillfillan,
 First Lieut. Lester T. Gayle, jr.,
 First Lieut. Turner M. Chambliss,
 First Lieut. James N. C. Richards,
 First Lieut. John F. Ehlert,
 First Lieut. Theron G. Methven,
 First Lieut. Francis M. Van Natter,
 First Lieut. Paul L. Ransom,
 First Lieut. Rice M. Youell,
 First Lieut. James H. Holmes, jr.,
 First Lieut. Manton S. Eddy,
 First Lieut. Charles E. Moore,

First Lieut. Gabriel T. Mackenzie,
 First Lieut. Erskine S. Dollarhide,
 First Lieut. Barnwell R. Legge,
 First Lieut. Alexander W. Dillard,
 First Lieut. Edward M. Almond,
 First Lieut. Charles P. Stivers,
 First Lieut. Robert C. Van Vliet, jr.,
 First Lieut. Charles L. Chaffee,
 First Lieut. Bohun B. Kinloch,
 First Lieut. Richard K. Smith,
 First Lieut. Percy W. Clarkson,
 First Lieut. Leo S. Gerow,
 First Lieut. Stuart G. Wilder,
 First Lieut. Harry I. T. Creswell,
 First Lieut. Charles E. Purviance,
 First Lieut. Lloyd H. Cook,
 First Lieut. John T. Bossi,
 First Lieut. Charles T. Senay,
 First Lieut. Egmont F. Koenig,
 First Lieut. Arthur H. Goddard,
 First Lieut. Peter K. Kelly,
 First Lieut. James A. Edgerton,
 First Lieut. Lawrence J. I. Barrett,
 First Lieut. Wendell H. Woolworth,
 First Lieut. John R. Brooke, jr.,
 First Lieut. Frank L. Culin, jr.,
 First Lieut. Daniel S. Appleton,
 First Lieut. Ralph E. McLain,
 First Lieut. Ralph C. Smith,
 First Lieut. Thomas S. Arms,
 First Lieut. Raymond D. Bell,
 First Lieut. Archelaus L. Hamblen,
 First Lieut. William H. Humphreys,
 First Lieut. Paul W. Mapes,
 First Lieut. Robert C. Macon,
 First Lieut. Frederic C. Dosé,
 First Lieut. Stephen P. Jocelyn, jr.,
 First Lieut. John D. Townsend,
 First Lieut. Henry H. Worthington,
 First Lieut. George L. Kraft,
 First Lieut. John S. Switzer, jr.,
 First Lieut. James C. Cook,
 First Lieut. Allen F. Kingman,
 First Lieut. Abraham Tabachnik,
 First Lieut. William A. Rawls, jr.,
 First Lieut. Hamilton K. Foster,
 First Lieut. Constant L. Irwin,
 First Lieut. Willis E. Comfort,
 First Lieut. Leven C. Allen,
 First Lieut. Joseph Quesenberry,
 First Lieut. Robert O. Jones,
 First Lieut. Oliver A. Hess,
 First Lieut. Edward A. Allen,
 First Lieut. Carroll M. DeWitt,
 First Lieut. George L. Pepin,
 First Lieut. Clarence B. Carver,
 First Lieut. Jedediah H. Hills,
 First Lieut. Edwin E. Schwien,
 First Lieut. Dan D. Howe,
 First Lieut. John E. Copeland,
 First Lieut. Lloyd N. Keesling,
 First Lieut. John H. Humbert,
 First Lieut. Joseph L. Lancaster,
 First Lieut. David R. Kerr,
 First Lieut. Everett G. Smith,
 First Lieut. Lyman S. Frasier,
 First Lieut. Howard E. Hawkinson,
 First Lieut. Julius A. Mood, jr.,
 First Lieut. Sidney S. Eberle,
 First Lieut. Joseph N. Dalton,
 First Lieut. Charles N. Stevens,
 First Lieut. James S. Bailey,
 First Lieut. Henry C. Long, jr.,
 First Lieut. William E. Lucas, jr.,
 First Lieut. Victor Parks,
 First Lieut. Walter A. Pashkoski,
 First Lieut. Roscius H. Back,
 First Lieut. Oscar F. Carlson,
 First Lieut. Richard G. Tindall,
 First Lieut. Roy L. Taylor,
 First Lieut. Leander R. Hathaway,
 First Lieut. German W. Lester,
 First Lieut. Karl Engeldinger,
 First Lieut. Francis A. Byrne,
 First Lieut. Harry J. Selby,

First Lieut. Farragut F. Hall,
 First Lieut. Orville M. Moore,
 First Lieut. Walter R. McClure,
 First Lieut. Charles E. Speer,
 First Lieut. Baldwin Williams-Foote,
 First Lieut. Edmund Wilhelm,
 First Lieut. George H. Butler,
 First Lieut. Frank C. Foley,
 First Lieut. Leonard R. Boyd,
 First Lieut. Withers A. Burress,
 First Lieut. Arthur J. Hoffmann,
 First Lieut. Harry L. Bennett, jr.,
 First Lieut. Joseph J. McConville,
 First Lieut. John C. Platt, jr.,
 First Lieut. Thomas H. Ward,
 First Lieut. Edward H. Nichols,
 First Lieut. Lawrence B. Glasgow,
 First Lieut. Alfred D. Hayden,
 First Lieut. Melville W. F. Wallace,
 First Lieut. Paul M. Ellis,
 First Lieut. Kirk A. Metzgerott,
 First Lieut. Thomas E. Mount,
 First Lieut. John P. Pryor,
 First Lieut. Jewett C. Baker,
 First Lieut. Robert B. Moore,
 First Lieut. Charles W. Jones,
 First Lieut. Edward H. Cotcher,
 First Lieut. Robert S. Miller,
 First Lieut. Paul N. Starlings,
 First Lieut. Charles Porterfield, jr.,
 First Lieut. Sevier R. Tupper,
 First Lieut. Frank E. Royse,
 First Lieut. Lawrence F. Stone,
 First Lieut. Aaron J. Becker,
 First Lieut. Wilson M. Spann,
 First Lieut. James V. Ware,
 First Lieut. Robert W. Brown,
 First Lieut. James R. Manning,
 First Lieut. Charles L. Steel,
 First Lieut. Stuart R. Carswell,
 First Lieut. Gilbert S. Harter,
 First Lieut. John W. Cotton,
 First Lieut. Ralph E. Wallace,
 First Lieut. Lawrence W. Fagg,
 First Lieut. Maury Mann,
 First Lieut. Rupert L. Purdon,
 First Lieut. Richard S. Jones,
 First Lieut. William C. Hanna,
 First Lieut. Leon G. Harer,
 First Lieut. Edwin M. Scott,
 First Lieut. Paul J. Dowling,
 First Lieut. John H. Jones,
 First Lieut. Rufus E. Wicker,
 First Lieut. Charles L. Briscoe,
 First Lieut. Hermann C. Dempewolf,
 First Lieut. Frank E. Hinton,
 First Lieut. Frank P. Tuohy,
 First Lieut. John R. Hermann,
 First Lieut. Louis T. Roberts,
 First Lieut. James M. Palmer,
 First Lieut. Ralph A. W. Pearson,
 First Lieut. Alfred Millard,
 First Lieut. Harry A. Amba,
 First Lieut. William H. Bittenbender,
 First Lieut. Raymond H. Bishop,
 First Lieut. James A. Summersett, jr.,
 First Lieut. Hugh C. Gilchrist, and
 First Lieut. Allen T. Veatch.

To be first lieutenants.

Second Lieut. Charles A. Drake,
 Second Lieut. James L. Ballard,
 Second Lieut. Earl E. Major,
 Second Lieut. Lloyd C. Parsons,
 Second Lieut. Claudius M. Easley,
 Second Lieut. Claude G. Hammond,
 Second Lieut. Henry V. Dexter,
 Second Lieut. Ted H. Cawthorne,
 Second Lieut. Edward Harrah,
 Second Lieut. Nelson Hill,
 Second Lieut. Robert W. Corrigan,
 Second Lieut. Richard H. Elliott,
 Second Lieut. Robert H. Lord,
 Second Lieut. Mose K. Pigman,

Second Lieut. Otto J. Endres,
 Second Lieut. John J. Hannigan,
 Second Lieut. Ruthford L. Herr,
 Second Lieut. Herbert G. Esden,
 Second Lieut. Norman Spencer,
 Second Lieut. Hunter L. Girault,
 Second Lieut. Rex W. Minckler,
 Second Lieut. George A. Jackson,
 Second Lieut. Roy F. Lynd,
 Second Lieut. Hugo J. Endres,
 Second Lieut. Wade H. Johnson,
 Second Lieut. Robert C. Patterson,
 Second Lieut. Francis W. Kernan,
 Second Lieut. John N. McNaughton,
 Second Lieut. Samuel I. Speevack,
 Second Lieut. Maximilian Clay,
 Second Lieut. Frederick S. Schmitt,
 Second Lieut. Calvert H. Arnold,
 Second Lieut. Clarence L. Morton,
 Second Lieut. George S. Prugh,
 Second Lieut. Homer F. Tate,
 Second Lieut. Harold Montague,
 Second Lieut. Kenyon H. Clark,
 Second Lieut. Cyril M. Stillson,
 Second Lieut. Richard H. Johnston,
 Second Lieut. John B. Cockburn,
 Second Lieut. George T. Fleet,
 Second Lieut. Clifton M. Brown,
 Second Lieut. Arthur Bloch,
 Second Lieut. Edward J. Rasch,
 Second Lieut. Walter B. Flynn,
 Second Lieut. Otto W. Neidert,
 Second Lieut. Edwin S. Beall,
 Second Lieut. Ralph E. Bower,
 Second Lieut. Charles W. Ogden,
 Second Lieut. Peter W. Ebbert,
 Second Lieut. George L. Eberle,
 Second Lieut. Marcus B. Bell,
 Second Lieut. Henry Pascale,
 Second Lieut. Frank R. Marston,
 Second Lieut. George W. Swift,
 Second Lieut. Lorraine D. Fields,
 Second Lieut. Remington Orsinger,
 Second Lieut. William S. Morris,
 Second Lieut. Joseph W. Bollenbeck,
 Second Lieut. Kenneth C. Bell,
 Second Lieut. Arnold Michelson,
 Second Lieut. Thomas F. Keasler,
 Second Lieut. Monroe M. Friedman,
 Second Lieut. Lee C. Lewis,
 Second Lieut. Cyrus J. Rounds,
 Second Lieut. John D. Forsythe,
 Second Lieut. Samuel L. Alexander,
 Second Lieut. Albert D. Johnson,
 Second Lieut. Roger W. Morse,
 Second Lieut. Leslie T. Lathrop,
 Second Lieut. Andrew A. Cook,
 Second Lieut. Lewis A. Maury,
 Second Lieut. Dan W. Flickinger,
 Second Lieut. Robert D. Porter,
 Second Lieut. Ralph E. Richards,
 Second Lieut. Chester G. Hadden,
 Second Lieut. Ralph H. Wooten,
 Second Lieut. Kenneth B. Bush,
 Second Lieut. Donald C. Williams,
 Second Lieut. Russell D. Barnes,
 Second Lieut. Victor Patterson,
 Second Lieut. Thorgny C. Carlson,
 Second Lieut. Lyman C. Ward,
 Second Lieut. James D. Brown,
 Second Lieut. Harold C. McClelland,
 Second Lieut. Robert C. Brunson,
 Second Lieut. Walter E. Wynne,
 Second Lieut. Norman L. Baldwin,
 Second Lieut. Roger Howell,
 Second Lieut. Kenneth McIntosh,
 Second Lieut. Fred R. Wolff,
 Second Lieut. Arthur C. Carlton,
 Second Lieut. Robert V. Finney,
 Second Lieut. Peter F. Connor,
 Second Lieut. Philip D. Wessen,
 Second Lieut. Clement D. Johnston,
 Second Lieut. Edward J. Hardin,
 Second Lieut. Harman P. Agnew,

Second Lieut. Floyd Lyle,
 Second Lieut. Francis W. Stone, jr.,
 Second Lieut. Don C. Faith,
 Second Lieut. Charles B. Herrick,
 Second Lieut. Raymond Orr,
 Second Lieut. Thomas H. Austin,
 Second Lieut. James W. Anderson,
 Second Lieut. Edgar T. Fell,
 Second Lieut. Archibald R. MacKechnie,
 Second Lieut. Joseph B. Kilbride,
 Second Lieut. Francis H. Wilson,
 Second Lieut. Walter A. Mack,
 Second Lieut. Arthur F. Williams,
 Second Lieut. William H. Pender,
 Second Lieut. John C. Kernan,
 Second Lieut. Maxton H. Flint,
 Second Lieut. Edward M. Bates,
 Second Lieut. Edward J. Gorman,
 Second Lieut. Charles S. Petree,
 Second Lieut. Elmer E. Hagler, jr.,
 Second Lieut. Sidney H. Negrotto,
 Second Lieut. Gustav J. Braun,
 Second Lieut. Frederick V. Burgess,
 Second Lieut. Everett L. Upton,
 Second Lieut. Walter R. Curfman,
 Second Lieut. Don F. Pratt,
 Second Lieut. Ralph E. Mooney,
 Second Lieut. Willard A. Reddish,
 Second Lieut. Ernest R. Percy,
 Second Lieut. Marcellus L. Countryman, jr.,
 Second Lieut. John C. Shaw,
 Second Lieut. Harry L. Stoner,
 Second Lieut. James M. Arthur,
 Second Lieut. Donald Van P. Yewell,
 Second Lieut. Asa F. Coleman,
 Second Lieut. Charles J. McIntyre,
 Second Lieut. Phillip M. Oviatt,
 Second Lieut. Edwin H. Randle,
 Second Lieut. Francis M. Rich,
 Second Lieut. Edwin G. Watson,
 Second Lieut. Leon F. Sullivan,
 Second Lieut. Walter C. Armstrong,
 Second Lieut. William B. Townsend,
 Second Lieut. Hunter McGuire,
 Second Lieut. Andrew L. Tucker,
 Second Lieut. Steven V. Wilson,
 Second Lieut. Edwin R. Rinker,
 Second Lieut. John H. Gibson,
 Second Lieut. George W. Gerling,
 Second Lieut. Cecil M. Neal,
 Second Lieut. Jay W. Sechler,
 Second Lieut. Walter E. Ditmars,
 Second Lieut. Paul H. Darrington,
 Second Lieut. John W. Spaulding,
 Second Lieut. Sidney B. Scott,
 Second Lieut. Ralph H. Countryman,
 Second Lieut. Edwin E. Aldridge,
 Second Lieut. Edwin B. Crabill,
 Second Lieut. Reade M. Ireland,
 Second Lieut. Edmund W. Hill,
 Second Lieut. Alfred M. Shearer,
 Second Lieut. James R. Campbell, jr.,
 Second Lieut. Edward A. Mullen,
 Second Lieut. James O. Tarbox,
 Second Lieut. Harry F. Rusch,
 Second Lieut. Raymond F. Edwards,
 Second Lieut. Oren A. Mulkey,
 Second Lieut. Charles C. Bond,
 Second Lieut. Byron C. Brown,
 Second Lieut. Forrest M. Harmon,
 Second Lieut. Ralph C. Flewelling,
 Second Lieut. Frank H. Terrell,
 Second Lieut. Harold R. Priest,
 Second Lieut. Jabez G. Gholston,
 Second Lieut. Robert A. McClure,
 Second Lieut. Frederick N. Vnson,
 Second Lieut. Francis B. McCollom,
 Second Lieut. Reginald D. Pappé,
 Second Lieut. Joseph B. Wirt,
 Second Lieut. Graham R. Schweickert,
 Second Lieut. Norman P. Williams,
 Second Lieut. Charles H. Riggins,
 Second Lieut. Winfield W. Smith,
 Second Lieut. Milton R. Barclay,

Second Lieut. Harold C. Wasgatt,
 Second Lieut. Wannie L. Bartley,
 Second Lieut. Norman J. McMahon,
 Second Lieut. Donald M. Bartow,
 Second Lieut. Hilbert A. C. Jensen,
 Second Lieut. Frank A. Pattillo,
 Second Lieut. Paul L. Singer,
 Second Lieut. Joseph L. Ready,
 Second Lieut. James B. Scarr,
 Second Lieut. Lloyd R. Rogers,
 Second Lieut. Charles C. Ritcor,
 Second Lieut. Earl C. Flegel,
 Second Lieut. Abner W. Goree,
 Second Lieut. Herbert B. Wheeler,
 Second Lieut. Charles C. Nathan,
 Second Lieut. Crittenden A. C. Tolman,
 Second Lieut. William E. Tidwell,
 Second Lieut. James K. Cubbison,
 Second Lieut. Howard F. Ross,
 Second Lieut. Arthur J. Lacouture,
 Second Lieut. Clifford M. Olivetti,
 Second Lieut. Josiah B. Mudge, jr.,
 Second Lieut. Hugh S. Lee,
 Second Lieut. Wilbur S. Elliott,
 Second Lieut. Kirk E. B. Lawton,
 Second Lieut. Neil S. Edmond,
 Second Lieut. Harold Haney,
 Second Lieut. Tully C. Garner,
 Second Lieut. Wilmer Brinton, jr.,
 Second Lieut. Forrest M. Record,
 Second Lieut. Luther W. Dear,
 Second Lieut. Frederick C. Shantz,
 Second Lieut. Martin D. McAllister,
 Second Lieut. George W. Booth,
 Second Lieut. William R. Colbern,
 Second Lieut. Marcel A. Gillis,
 Second Lieut. John W. Carroll, and
 Second Lieut. Joshua S. Bowen.

CAVALRY ARM.

To be captains.

First Lieut. Herley C. Dagley,
 First Lieut. Charles L. Clifford,
 First Lieut. Gaston L. Holmes,
 First Lieut. George W. Wersebe,
 First Lieut. Milton R. Fisher,
 First Lieut. John S. Jadwin,
 First Lieut. Arthur P. Thayer,
 First Lieut. Edward R. Scheitlin,
 First Lieut. Edwin A. Martin,
 First Lieut. Jay D. B. Lattin,
 First Lieut. Frank G. Ringland,
 First Lieut. John B. Harper,
 First Lieut. Winchell I. Rasor,
 First Lieut. Oliver I. Holman,
 First Lieut. John J. John,
 First Lieut. Harry B. Flounders,
 First Lieut. Grover R. Carl,
 First Lieut. Hugh D. Blanchard,
 First Lieut. James G. Monihan,
 First Lieut. Anthony J. Kirst,
 First Lieut. William G. Simons,
 First Lieut. Rexford E. Willoughby,
 First Lieut. John D. Austin,
 First Lieut. John P. Kaye,
 First Lieut. Cleo D. Mayhugh,
 First Lieut. James W. Barnett,
 First Lieut. John C. Mullenix,
 First Lieut. Ross McCoy,
 First Lieut. Howard C. Tobin,
 First Lieut. John A. Weeks,
 First Lieut. Walter E. Buchly,
 First Lieut. Harold C. Mandell,
 First Lieut. Lester A. Sprinkle,
 First Lieut. Robert W. Grow,
 First Lieut. Terrill E. Price,
 First Lieut. William H. Kasten,
 First Lieut. Edwin Rollmann,
 First Lieut. Leon E. Ryder,
 First Lieut. Richard L. Creed,
 First Lieut. William M. Husson,
 First Lieut. Harry L. Putnam,
 First Lieut. Roderick R. Allen, and
 First Lieut. Adolphus W. Roffe.

To be first lieutenants.

Second Lieut. Marion Cox,
 Second Lieut. Hugh J. FitzGerald,
 Second Lieut. David P. Minard,
 Second Lieut. Paul J. Matte,
 Second Lieut. Hugo P. Wise,
 Second Lieut. Norman R. Hamilton,
 Second Lieut. Robert R. Hawes, jr.,
 Second Lieut. Joseph S. Robinson,
 Second Lieut. Murray H. Ellis,
 Second Lieut. Wolcott P. Hay,
 Second Lieut. Joseph I. Lambert,
 Second Lieut. Ralph W. Rogers,
 Second Lieut. William P. Medlar,
 Second Lieut. Lawrence A. Shafer,
 Second Lieut. Thurlby M. Rundel,
 Second Lieut. Charles B. B. Bubb,
 Second Lieut. Paul E. McDermott,
 Second Lieut. Gustav B. Guenther,
 Second Lieut. William H. Skinner,
 Second Lieut. Leslie F. Laurence,
 Second Lieut. Horace W. Forster,
 Second Lieut. Franklin C. Ketler,
 Second Lieut. Charles Pope,
 Second Lieut. Waldemar A. Falck,
 Second Lieut. Carl J. Rohsenberger,
 Second Lieut. Crawford M. Kellogg,
 Second Lieut. James V. McDowell,
 Second Lieut. Harry L. Hart,
 Second Lieut. James H. B. Bogan,
 Second Lieut. Robert H. Gallier,
 Second Lieut. Percy S. Haydon,
 Second Lieut. David J. Chaille,
 Second Lieut. Albert E. McIntosh,
 Second Lieut. Jefferson Kinney, jr.,
 Second Lieut. Halbert H. Neilson,
 Second Lieut. Lehard C. McAuley,
 Second Lieut. Carl R. Johnston,
 Second Lieut. Dean R. DeMerritt,
 Second Lieut. Charles B. Sweatt,
 Second Lieut. John M. Sanderson,
 Second Lieut. Charles W. Walton,
 Second Lieut. James V. McConville, and
 Second Lieut. Ralston D. Livingston.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Erwin C. W. Davis,
 First Lieut. Emile G. DeCoen,
 First Lieut. Arthur N. White,
 First Lieut. Patrick L. Lynch,
 First Lieut. Ivan N. Bradley,
 First Lieut. John J. McCollister,
 First Lieut. Frank A. Roberts,
 First Lieut. William D. Alexander,
 First Lieut. Herbert L. Lee,
 First Lieut. Richard J. Marshall,
 First Lieut. Ralph T. Heard,
 First Lieut. Harcourt Hervey,
 First Lieut. Francis W. Sheppard,
 First Lieut. Robert W. Daniels,
 First Lieut. John S. Winslow, and
 First Lieut. George N. Ruhberg.

To be first lieutenants.

Second Lieut. Leon A. Des Pland, jr.,
 Second Lieut. Charles W. McCleary,
 Second Lieut. John L. Gammell,
 Second Lieut. James W. Emerson, jr.,
 Second Lieut. Ward H. Maris,
 Second Lieut. Roderick S. Patch,
 Second Lieut. Joseph W. Del Alamo,
 Second Lieut. Richard W. Hocker,
 Second Lieut. William McK. Dunn,
 Second Lieut. Willard S. Simpkins,
 Second Lieut. Rene J. LeGardeur, jr.,
 Second Lieut. Corydon H. Sutton, jr.,
 Second Lieut. Henry M. Ladd, jr.,
 Second Lieut. Gustav E. Moe,
 Second Lieut. Philip Ramer,
 Second Lieut. Ozro F. Rideout,
 Second Lieut. Floyd O. Marshall,
 Second Lieut. Harris M. Findlay,
 Second Lieut. Thomas F. Furness,

Second Lieut. Joseph L. Corcoran,
 Second Lieut. Dana M. Hubbard,
 Second Lieut. Clyde W. White,
 Second Lieut. Preston S. Hoyt,
 Second Lieut. Clifford A. Laflin,
 Second Lieut. Willis W. Hubbard,
 Second Lieut. Fairfax S. Landstreet,
 Second Lieut. Floyd W. Stewart,
 Second Lieut. Fairfax D. Downey,
 Second Lieut. Bernard C. Law,
 Second Lieut. George F. Downey, jr.,
 Second Lieut. Andrew Carrigan, jr.,
 Second Lieut. Harley Latson,
 Second Lieut. John V. Thompson,
 Second Lieut. Carl Z. Draves,
 Second Lieut. Archibald D. Fiske,
 Second Lieut. Samuel C. Holliday,
 Second Lieut. Emory M. Hoover,
 Second Lieut. William M. Garrison,
 Second Lieut. Leon J. Paddock,
 Second Lieut. Bryan C. Curtis,
 Second Lieut. Henry L. Nicholls,
 Second Lieut. Arthur N. Selby,
 Second Lieut. Thomas H. McKoy, jr.,
 Second Lieut. Walter A. Phillips,
 Second Lieut. Stuart M. Canby,
 Second Lieut. Harry Y. Stebbins,
 Second Lieut. Edmond D. Margrave,
 Second Lieut. Harry Darby, jr.,
 Second Lieut. Samuel P. Griffiths,
 Second Lieut. Joseph W. Loeff,
 Second Lieut. Charles B. Bonner,
 Second Lieut. Arthur L. Warren,
 Second Lieut. Thomas K. Vincent,
 Second Lieut. Merritt H. Greene,
 Second Lieut. William B. Weakley,
 Second Lieut. William B. Tucker,
 Second Lieut. Philip D. Tryon,
 Second Lieut. Ary C. Berry,
 Second Lieut. George Davidson, jr.,
 Second Lieut. David L. Ruffner,
 Second Lieut. Mark M. Serum,
 Second Lieut. Louis H. Penney,
 Second Lieut. Ross B. Warren,
 Second Lieut. Addison H. Douglass,
 Second Lieut. Arthur E. Fox, and
 Second Lieut. Lewis A. Bond.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Frederick W. Smith,
 First Lieut. Robert S. Barr,
 First Lieut. Charles J. Herzer,
 First Lieut. William M. Cravens,
 First Lieut. John B. Martin,
 First Lieut. Edwin C. Mead,
 First Lieut. William T. Roberts,
 First Lieut. Carl J. Smith,
 First Lieut. Dugald Mac A. Barr,
 First Lieut. James D. Mac Mullen,
 First Lieut. Charles W. Bundy,
 First Lieut. Charles D. Y. Ostrom,
 First Lieut. Donald M. Cole,
 First Lieut. James C. Hutson,
 First Lieut. Francis A. Hause,
 First Lieut. Edward E. Mac Morland,
 First Lieut. Henry B. Holmes, jr., and
 First Lieut. Arvid M. Pendleton.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

Second Lieut. Keith F. Driscoll, Infantry, to be second lieutenant of Cavalry.

Second Lieut. Joseph A. Nichols, Cavalry, to be second lieutenant of Infantry.

Second Lieut. Earle L. Hazard, Infantry, to be second lieutenant of Cavalry.

Second Lieut. James J. Roach, Cavalry, to be second lieutenant of Infantry.

Second Lieut. Leonard Lucado Mintgomery, Cavalry, to be second lieutenant of Infantry.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

Second Lieut. Charles W. Harris to the grade of captain in the Infantry Arm.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be captains.

First Lieut. William E. Shipp,
 First Lieut. Calvin De Witt, jr.,
 First Lieut. James M. Crane,
 First Lieut. Lucien S. S. Berry,
 First Lieut. Victor W. B. Wales,
 First Lieut. Joseph M. Tully,
 First Lieut. Pettus H. Hemphill,
 First Lieut. Hugh Mitchell,
 First Lieut. Robert LeG. Walsh,
 First Lieut. Clarence S. Maulsby,
 First Lieut. George S. Andrew,
 First Lieut. Spencer A. Townsend,
 First Lieut. Arthur M. Jones,
 First Lieut. Thomas G. Peyton,
 First Lieut. Junius H. Houghton,
 First Lieut. Douglas J. Page,
 First Lieut. James N. Caperton,
 First Lieut. Charles C. Smith,
 First Lieut. Harrison Herman,
 First Lieut. William W. Dempsey,
 First Lieut. Robert R. D. McCullough,
 First Lieut. Chapman Grant,
 First Lieut. Duncan G. Richart, and
 First Lieut. Daniel A. Conner.

To be first lieutenants.

Second Lieut. Grayson C. Woodbury,
 Second Lieut. Duncan G. McGregor,
 Second Lieut. Thomas J. Heavey,
 Second Lieut. Wallace F. Safford,
 Second Lieut. Joshua A. Stansell,
 Second Lieut. Raymond E. S. Williamson,
 Second Lieut. David C. G. Schlenker,
 Second Lieut. Harry T. Wood,
 Second Lieut. Earl F. Knoob,
 Second Lieut. Robert E. Symmonds,
 Second Lieut. John R. W. Diehl,
 Second Lieut. Rudolph D. Delehanty,
 Second Lieut. William H. W. Reinburg,
 Second Lieut. Elmer H. Almqvist,
 Second Lieut. Frank L. Carr,
 Second Lieut. Frank E. Bertholet,
 Second Lieut. Marion Carson,
 Second Lieut. Rossiter H. Garity,
 Second Lieut. Frank C. Jedlicka,
 Second Lieut. Leo B. Conner,
 Second Lieut. John B. Saunders,
 Second Lieut. Arthur B. Custis,
 Second Lieut. Desmond O'Keefe,
 Second Lieut. Hal M. Rose,
 Second Lieut. Frederick J. Durrschmidt,
 Second Lieut. Milton W. Davis, and
 Second Lieut. John B. Bellinger, jr.

FIELD ARTILLERY.

To be first lieutenants.

Second Lieut. Thurston E. Wood,
 Second Lieut. John M. Johnson,
 Second Lieut. William O. Reeder,
 Second Lieut. William K. Kolb,
 Second Lieut. William R. Gerhardt,
 Second Lieut. Theodore E. Buechler,
 Second Lieut. Frederick E. Tibbetts, jr.,
 Second Lieut. Samuel D. Ringsdorf,
 Second Lieut. Redmond F. Kernan, jr.,
 Second Lieut. Theodore L. Futch,
 Second Lieut. Russell L. Meredith,
 Second Lieut. William I. Wilson,
 Second Lieut. Harold A. Cooney,
 Second Lieut. John T. Knight, jr.,
 Second Lieut. Miles A. Cowles,
 Second Lieut. Lawrence McC. Jones,
 Second Lieut. Gordon G. Heiner, jr., and
 Second Lieut. Edward J. Wolff, jr.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Martin J. O'Brien,
 First Lieut. Joseph C. Haw,
 First Lieut. Iverson B. Summers, jr.,
 First Lieut. Clifford R. Jones,
 First Lieut. John B. Wogan,

First Lieut. Clesen H. Tenney,
 First Lieut. Frank E. Emery, jr.,
 First Lieut. Edward C. Wallington,
 First Lieut. Carl E. Hocker,
 First Lieut. Richmond T. Gibson,
 First Lieut. Edward B. Hyde, jr.,
 First Lieut. Herbert R. Corbin,
 First Lieut. Charles H. Chapin,
 First Lieut. William P. Cherrington,
 First Lieut. Charles R. Finley,
 First Lieut. Albert W. Draves,
 First Lieut. Benjamin S. Beverley,
 First Lieut. Carl L. Marriott,
 First Lieut. Hugh A. Ramsey,
 First Lieut. Willis McD. Chapin,
 First Lieut. Carl S. Doney,
 First Lieut. James de B. Walbach,
 First Lieut. Richard M. Levy,
 First Lieut. Ellicott H. Freeland,
 First Lieut. James C. Ruddell,
 First Lieut. Joseph J. O'Hare,
 First Lieut. William G. Patterson,
 First Lieut. Frank C. Scofield,
 First Lieut. Ferdinand F. Gallagher, and
 First Lieut. Barrington L. Flanigen.

MEDICAL CORPS.

Maj. William R. Davis to be lieutenant colonel.

TEMPORARY PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Hugh D. Wise to be colonel.
 Maj. Hugh D. Wise to be lieutenant colonel.
 Maj. Alfred W. Bjornstad to be lieutenant colonel.

To be majors.

Capt. Edwin J. Nowlen,
 Capt. Sylvester C. Loring,
 Capt. Jacob Schick,
 Capt. Roy W. Ashbrook, and
 Capt. Sam P. Herren.

CAVALRY ARM.

To be colonels.

Lieut. Col. James N. Munro,
 Lieut. Col. William S. Valentine,
 Lieut. Col. Henry C. Smither,
 Lieut. Col. Roy B. Harper, and
 Lieut. Col. Thomas A. Roberts.

To be lieutenant colonels.

Maj. Leonard L. Deitrick, and
 Maj. Richard B. Going.

To be majors.

Capt. Chauncey StC. McNeill,
 Capt. Frank K. Ross,
 Capt. Herman Kobbe,
 Capt. John A. Warden,
 Capt. John B. Johnson,
 Capt. Harold L. Gardiner, and
 Capt. Claude DeB. Hunt.

To be captains.

First Lieut. Charles C. Smith,
 First Lieut. Harrison Herman,
 First Lieut. William W. Dempsey,
 First Lieut. Robert R. D. McCullough,
 First Lieut. Chapman Grant,
 First Lieut. Duncan G. Richart,
 First Lieut. Daniel A. Connor,
 First Lieut. Harley C. Dagley,
 First Lieut. Charles L. Clifford,
 First Lieut. Gaston L. Holmes,
 First Lieut. George W. Wersebe,
 First Lieut. Milton R. Fisher,
 First Lieut. John S. Jadwin,
 First Lieut. Arthur P. Thayer,
 First Lieut. Edward R. Scheitlin,
 First Lieut. Edwin A. Martin,
 First Lieut. Jay D. B. Lattin,
 First Lieut. Frank G. Ringland,
 First Lieut. John B. Harper,
 First Lieut. Winchell I. Razor,
 First Lieut. Oliver I. Holman,
 First Lieut. John J. Bohn,
 First Lieut. Harry B. Flounders,
 First Lieut. John C. Garrett,

First Lieut. Grover R. Carl,
 First Lieut. Hugh D. Blanchard,
 First Lieut. James G. Monihan,
 First Lieut. Anthony J. Kirst,
 First Lieut. William G. Simmons,
 First Lieut. Rexford E. Willoughby,
 First Lieut. John D. Austin,
 First Lieut. John P. Kaye,
 First Lieut. Cleo D. Mayhugh,
 First Lieut. James W. Barnett,
 First Lieut. John C. Mullenix,
 First Lieut. Ross McCoy,
 First Lieut. Howard C. Tobin,
 First Lieut. John A. Weeks,
 First Lieut. Walter E. Buchly,
 First Lieut. Harold C. Mandell,
 First Lieut. Lester A. Sprinkle,
 First Lieut. Robert W. Grow,
 First Lieut. Terrill E. Price,
 First Lieut. William H. Kasten,
 First Lieut. Edwin Roliman,
 First Lieut. Leon E. Ryder,
 First Lieut. Richard L. Creed,
 First Lieut. William M. Husson,
 First Lieut. Harry L. Putnam,
 First Lieut. Roderick R. Allen,
 First Lieut. Adolphus W. Roffe,
 First Lieut. Ion C. Holm,
 First Lieut. Robert C. Candee,
 First Lieut. Joseph L. Phillips,
 First Lieut. Kenneth McCatty,
 First Lieut. Joseph W. Geer,
 First Lieut. Edwin D. Morgan, jr.,
 First Lieut. Leslie B. C. Jones,
 First Lieut. Kramer Thomas,
 First Lieut. James R. Finley,
 First Lieut. Willard S. Wadellon,
 First Lieut. Hale S. Cook,
 First Lieut. John M. Jenkins, jr.,
 First Lieut. Beverly H. Coiner,
 First Lieut. Albert D. Chipman,
 First Lieut. Arthur H. Truxes,
 First Lieut. Gordon J. F. Heron,
 First Lieut. Carl C. Krueger,
 First Lieut. Hugh M. Gregory,
 First Lieut. Oron A. Palmer,
 First Lieut. Stanley Bacon,
 First Lieut. Samuel V. Constant,
 First Lieut. William C. Chase,
 First Lieut. Norman E. Fiske,
 First Lieut. Donald O. Miller,
 First Lieut. Richard D. Gile,
 First Lieut. Wilson T. Bals,
 First Lieut. Cyrus J. Wilder,
 First Lieut. Harold C. Fellows,
 First Lieut. John T. Pierce, jr.,
 First Lieut. Henry H. Anderson,
 First Lieut. George M. Herringshaw,
 First Lieut. Thomas F. Limbocker,
 First Lieut. Cornelius M. Daly,
 First Lieut. Richard B. Trimble,
 First Lieut. Arthur S. Harrington,
 First Lieut. Frank L. Whittaker,
 First Lieut. Philip H. Sherwood,
 First Lieut. Robert S. La Motte,
 First Lieut. George M. Gillet, jr.,
 First Lieut. Arthur E. Pickard,
 First Lieut. James F. Dewhurst,
 First Lieut. Donald S. Perry,
 First Lieut. Thomas S. Poole,
 First Lieut. Frederick G. Rosenberg,
 First Lieut. Frederick R. Lafferty,
 First Lieut. Carl H. Strong,
 First Lieut. Robert L. Beall,
 First Lieut. Meade Frierson, jr.,
 First Lieut. Arthur T. Lacey,
 First Lieut. David W. Craig,
 First Lieut. Edmund M. Barnum,
 First Lieut. Thomas A. Dobyms, jr.,
 First Lieut. John T. Minton,
 First Lieut. William T. Haldeman,
 First Lieut. Edward S. Bassett,
 First Lieut. Edward F. Shaifer,
 First Lieut. George M. Peabody, jr.,
 First Lieut. Athael B. Ellis,

First Lieut. Harrie K. Dalbey,
 First Lieut. John W. McDonald,
 First Lieut. Victor Kerney,
 First Lieut. David H. Blakelock,
 First Lieut. Rinaldo L. Coe,
 First Lieut. Harold J. Duffey,
 First Lieut. Jay K. Colwell,
 First Lieut. Amory C. Cotchett,
 First Lieut. Otis Porter,
 First Lieut. Arthur C. D. Anderson,
 First Lieut. Emory M. Mace,
 First Lieut. Harry H. Dunn,
 First Lieut. George L. Morrison,
 First Lieut. Renn Lawrence,
 First Lieut. Joseph A. Covington,
 First Lieut. John L. Rice,
 First Lieut. Nelson M. Imboden,
 First Lieut. Randolph Dickens,
 First Lieut. John N. Steele,
 First Lieut. Eugene M. Dwyer,
 First Lieut. Wharton G. Ingram,
 First Lieut. Edward S. Moale,
 First Lieut. Adrian St. John,
 First Lieut. Frederick J. Holzbaur,
 First Lieut. George H. Carruth,
 First Lieut. Robert M. Carswell,
 First Lieut. Walter C. Merkel,
 First Lieut. Joseph M. Hurt, jr.,
 First Lieut. George I. Speer,
 First Lieut. Charles B. Duncan,
 First Lieut. Ferris M. Angevine,
 First Lieut. Julian W. Cunningham,
 First Lieut. Sam G. Fuller,
 First Lieut. Clinton A. Pierce,
 First Lieut. Thomas M. Cockrill,
 First Lieut. Delmore S. Wood,
 First Lieut. Arthur Vollmer,
 First Lieut. Otto B. Trigg,
 First Lieut. George W. L. Prettyman,
 First Lieut. Thomas M. Turner,
 First Lieut. Horace L. Hudson,
 First Lieut. Lawrence C. Frizzell,
 First Lieut. Jean F. Sabin,
 First Lieut. Robert F. White,
 First Lieut. Henry D. Jay,
 First Lieut. Ray L. Burnell,
 First Lieut. Arthur W. Hartman,
 First Lieut. John W. Berry,
 First Lieut. Joseph N. Marx,
 First Lieut. George Sawtelle,
 First Lieut. Ray Harrison,
 First Lieut. William F. Daugherty,
 First Lieut. John T. Cole,
 First Lieut. Stephen H. Sherrill,
 First Lieut. Charles H. Gerhardt,
 First Lieut. Walter H. Schulze,
 First Lieut. Herbert C. Holdridge,
 First Lieut. Albert C. Smith,
 First Lieut. Nicholas W. Lisle,
 First Lieut. Percy G. Black,
 First Lieut. Albert C. Stanford,
 First Lieut. Laurence B. Meacham,
 First Lieut. Louis Le R. Martin,
 First Lieut. William K. Harrison, jr.,
 First Lieut. Josiah F. Morford,
 First Lieut. Ernest N. Harmon,
 First Lieut. Joseph S. Tate,
 First Lieut. Arthur M. Harper,
 First Lieut. John W. Confer, jr.,
 First Lieut. Herbert N. Schwarzkopf,
 First Lieut. Robert N. Kunz,
 First Lieut. Charles S. Kilbourn,
 First Lieut. Charles R. Johnson, jr.,
 First Lieut. Bertrand Morrow,
 First Lieut. Coalter B. Compton,
 First Lieut. Folsome R. Parker,
 First Lieut. Guy H. Doshier,
 First Lieut. Cecil R. Neal,
 First Lieut. Myer S. Silven,
 First Lieut. William H. Symington,
 First Lieut. Phillip B. Fryer,
 First Lieut. Donald C. Hawley,
 First Lieut. Vernon L. Padgett,
 First Lieut. Jay W. MacKelvie,
 First Lieut. Francis T. Bonsteel,

First Lieut. William E. Barott,
 First Lieut. Wallace F. Hamilton,
 First Lieut. Frank Nelson,
 First Lieut. William E. McMinn,
 First Lieut. Edmund M. Crump,
 First Lieut. Herman F. Rathjen,
 First Lieut. Daniel J. Keane,
 First Lieut. Milo J. Warner,
 First Lieut. Le Roy Davis,
 First Lieut. Anthony J. Tittinger,
 First Lieut. Max D. Holmes,
 First Lieut. Charles A. Ellis,
 First Lieut. Dennis L. Sears,
 First Lieut. Bankston E. Mattox, jr.,
 First Lieut. Frank H. Barnhart,
 First Lieut. John A. Moschner,
 First Lieut. George E. Harrison,
 First Lieut. Wesley J. White,
 First Lieut. Alton W. Howard,
 First Lieut. Nolan Ferguson,
 First Lieut. Richard W. Carter,
 First Lieut. Kenneth Rowntree,
 First Lieut. George A. King,
 First Lieut. James B. Lockwood,
 First Lieut. Lionel L. Meyer,
 First Lieut. Frederick H. L. Ryder,
 First Lieut. John W. Weeks,
 First Lieut. Theodore B. Apgar,
 First Lieut. Jefferson B. Osborn,
 First Lieut. Mortimer H. Christian,
 First Lieut. Marcus R. Monsarratt,
 First Lieut. Fabius B. Shipp,
 First Lieut. James J. Cecil,
 First Lieut. George A. Moore,
 First Lieut. James M. Shelton,
 First Lieut. Albert R. Kuschke,
 First Lieut. George W. Gay,
 First Lieut. Forsyth Bacon,
 First Lieut. Ralph L. Joyner,
 First Lieut. Roscoe S. Parker,
 First Lieut. Heywood S. Dodd,
 First Lieut. Kent C. Lambert,
 First Lieut. George E. Huthsteiner,
 First Lieut. Richard B. Lloyd,
 First Lieut. Maurice Morgan,
 First Lieut. Gilbert E. Bixby,
 First Lieut. Eugene Burnet,
 First Lieut. Charles F. Houghton,
 First Lieut. Harry A. Buckley,
 First Lieut. James E. Slack,
 First Lieut. Culver S. Mitcham,
 First Lieut. William O. Johnson,
 First Lieut. Harold B. Gibson,
 First Lieut. John D. Hood,
 First Lieut. Charles S. Lawrence,
 First Lieut. Melvin S. Williamson,
 First Lieut. Evarts W. Opie,
 First Lieut. Frank P. Stretton,
 First Lieut. Paul Hurlburt,
 First Lieut. Aaron Y. Hardy,
 First Lieut. Earl B. Wilson,
 First Lieut. Edmund J. Engel,
 First Lieut. John E. Grant,
 First Lieut. Jack M. Reardon,
 First Lieut. Lewis Mesherry,
 First Lieut. Lewis A. Weiss,
 First Lieut. Francis E. Cheney,
 First Lieut. Robert P. Mortimer,
 First Lieut. Lee T. Victor,
 First Lieut. Henry C. Caron,
 First Lieut. William W. Powell,
 First Lieut. Robert F. Merkel,
 First Lieut. Carroll A. Powell,
 First Lieut. Frank C. De Langton,
 First Lieut. Ivan N. Waldron,
 First Lieut. Carter R. McLennan,
 First Lieut. Frederick Gearing,
 First Lieut. Geoffrey Galwey,
 First Lieut. Louis G. Gibney,
 First Lieut. William D. Adkins,
 First Lieut. John B. Hartman,
 First Lieut. Harry C. Jones,
 First Lieut. James E. Simpson,
 First Lieut. Charles J. Booth,
 First Lieut. William T. Hamilton,

First Lieut. Richard C. Boyan,
 First Lieut. Edward K. Jones,
 First Lieut. Harry P. Shaw,
 First Lieut. Frederick F. Duggan,
 First Lieut. Harry H. Baird,
 First Lieut. Francis H. Waters,
 First Lieut. William T. Bauskett, jr.,
 First Lieut. Carlisle B. Cox,
 First Lieut. Walter L. Bishop,
 First Lieut. Donald R. McComas,
 First Lieut. Liburn B. Chambers,
 First Lieut. John W. Burke,
 First Lieut. Charles W. Jacobson,
 First Lieut. Edgar R. Garlick,
 First Lieut. Henry P. Ames,
 First Lieut. Richard F. Leahy,
 First Lieut. Howard C. Okie,
 First Lieut. William L. Gibson,
 First Lieut. James L. Franciscus,
 First Lieut. Eddie J. Lee,
 First Lieut. Elmer P. Gosnell,
 First Lieut. Raymond D. Adolph,
 First Lieut. Donald A. Stroh,
 First Lieut. Russell T. George,
 First Lieut. Thomas C. McCormick,
 First Lieut. Erskine A. Franklin,
 First Lieut. Wallace H. Gillett,
 First Lieut. Robert D. Thompson, jr.,
 First Lieut. John E. Maher,
 First Lieut. John E. Selby,
 First Lieut. Arthur L. Marek,
 First Lieut. Herbert E. Watkins,
 First Lieut. Raymond L. Newton,
 First Lieut. William R. Irvin,
 First Lieut. Alfred L. Baylies,
 First Lieut. Lathan H. Collins,
 First Lieut. Ralph B. Skinner,
 First Lieut. Candler A. Wilkinson,
 First Lieut. Milton A. Lowenberg,
 First Lieut. John A. Hettinger,
 First Lieut. George A. Goodyear,
 First Lieut. Paul H. Morris,
 First Lieut. Francis E. S. Turner,
 First Lieut. Guy D. Thompson,
 First Lieut. George A. Parsons,
 First Lieut. David W. Barton,
 First Lieut. Martin R. Rice,
 First Lieut. Philip C. Clayton,
 First Lieut. Hans E. Kloepper,
 First Lieut. Edward A. Everett, jr.,
 First Lieut. Herbert A. Myers,
 First Lieut. Norman N. Rogers,
 First Lieut. Temple E. Ridgely, and
 First Lieut. Harry W. Maas.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Erwin C. W. Davis,
 First Lieut. Emile G. De Coen,
 First Lieut. Arthur N. White,
 First Lieut. Patrick L. Lynch,
 First Lieut. Ivan N. Bradley,
 First Lieut. John J. McCollister,
 First Lieut. Frank A. Roberts,
 First Lieut. William D. Alexander,
 First Lieut. Herbert L. Lee,
 First Lieut. Richard J. Marshall,
 First Lieut. Ralph T. Heard,
 First Lieut. Harcourt Hervey,
 First Lieut. Francis W. Sheppard,
 First Lieut. Robert W. Daniels,
 First Lieut. John S. Winslow,
 First Lieut. George N. Ruhberg,
 First Lieut. Armand Durant,
 First Lieut. Thomas T. Handy,
 First Lieut. Frank B. Tipton, jr.,
 First Lieut. Stanley F. Bryan,
 First Lieut. Oliver L. Haines,
 First Lieut. Oscar I. Gates,
 First Lieut. Gerald E. Brower,
 First Lieut. William J. Jones,
 First Lieut. Yarrow D. Velsey,
 First Lieut. William B. Dunwoody,
 First Lieut. Charles B. Thomas,
 First Lieut. Oliver J. Bond, jr.,

First Lieut. Robert H. Ennis,
 First Lieut. Benjamin E. Carter,
 First Lieut. Henry B. Parker,
 First Lieut. Francis Fielding-Reid,
 First Lieut. Harold R. Ristine,
 First Lieut. Edmund B. Edwards,
 First Lieut. Oscar L. Gruhn,
 First Lieut. Theodore W. Wrenn,
 First Lieut. Harold W. Rehm,
 First Lieut. John B. Pitney,
 First Lieut. Clifford H. Tate,
 First Lieut. Ottomar O'Donnell,
 First Lieut. Oliver P. Echols,
 First Lieut. Clement Ripley,
 First Lieut. Edward M. Smith,
 First Lieut. John O. Hoskins,
 First Lieut. William Clarke,
 First Lieut. Albert R. Ives,
 First Lieut. Arthur Brigham, jr.,
 First Lieut. William M. Jackson,
 First Lieut. Joseph A. Sheridan,
 First Lieut. Hugh C. Minton,
 First Lieut. Charles W. Gallaher,
 First Lieut. Laurence V. Houston,
 First Lieut. Stacy Knopf,
 First Lieut. James M. Garrett,
 First Lieut. David M. Pope,
 First Lieut. Eugene H. Willenbacher,
 First Lieut. Louis C. Arthur, jr.,
 First Lieut. John F. Hubbard,
 First Lieut. Franklin M. Davison,
 First Lieut. William E. Shepherd, jr.,
 First Lieut. Robert M. Bathurst,
 First Lieut. William H. Saunders,
 First Lieut. Charles E. Hurdis,
 First Lieut. Henry J. Schroeder,
 First Lieut. James K. Tully,
 First Lieut. John M. Devine,
 First Lieut. Harold A. Nisely,
 First Lieut. James L. Guion,
 First Lieut. George D. Wahl,
 First Lieut. Basil H. Perry,
 First Lieut. Ray H. Lewis,
 First Lieut. Solomon F. Clark,
 First Lieut. Augustus M. Gurney,
 First Lieut. Oliver B. Cardwell,
 First Lieut. William O. Butler,
 First Lieut. Rex W. Beasley,
 First Lieut. Frank Langham,
 First Lieut. William F. Maher,
 First Lieut. Walter F. Wright,
 First Lieut. Sidney F. Dunn,
 First Lieut. Louis W. Hasslock,
 First Lieut. Breckinridge A. Day,
 First Lieut. Paul C. Harper,
 First Lieut. Joseph Kennedy,
 First Lieut. George D. Shea,
 First Lieut. John V. D. Hume,
 First Lieut. Woodrow W. Woodbridge,
 First Lieut. Gervas S. Taylor,
 First Lieut. John G. Pennypacker,
 First Lieut. Richard H. Schubert,
 First Lieut. Edward F. Marx,
 First Lieut. Wilbur C. Carlan,
 First Lieut. George R. Rede,
 First Lieut. Gilbert P. Kearns,
 First Lieut. Van Rensselaer Vestal,
 First Lieut. John H. Carriker,
 First Lieut. Peter P. Michalek,
 First Lieut. William G. Gough,
 First Lieut. Joseph A. Mulherrin,
 First Lieut. Azel W. McNeal,
 First Lieut. William B. Wright, jr.,
 First Lieut. Victor H. Bridgman, jr.,
 First Lieut. Wendell L. Bevan,
 First Lieut. Henry J. Macpeake,
 First Lieut. Frank W. Lykes,
 First Lieut. Richard T. Guthrie,
 First Lieut. Ittai A. Luke,
 First Lieut. Roger Griswold,
 First Lieut. Henry Lockwood, jr.,
 First Lieut. Alan L. Campbell,
 First Lieut. Oscar B. Ralls, jr.,
 First Lieut. John R. Larkin,
 First Lieut. Douglas R. Coleman,

First Lieut. George P. Winton,
 First Lieut. George J. Downing,
 First Lieut. Wallace W. Crawford,
 First Lieut. Christianity Pickett,
 First Lieut. Rush H. Rogers,
 First Lieut. John C. Adams,
 First Lieut. Arthur C. Waters,
 First Lieut. Ernest T. Barco,
 First Lieut. Lester A. Daugherty,
 First Lieut. Walter G. Witt,
 First Lieut. Joseph E. Takken,
 First Lieut. Raymond J. Watrous,
 First Lieut. Jerome J. Waters, jr., and
 First Lieut. Thomas G. Hanson, jr.

COAST ARTILLERY CORPS.

To be majors.

Capt. Richard H. Williams,
 Capt. Alfred M. Mason,
 Capt. Kenneth C. Masteller,
 Capt. Joseph Matson,
 Capt. Francis H. Lincoln,
 Capt. William H. Wilson,
 Capt. Edward D. Powers,
 Capt. Charles E. N. Howard,
 Capt. Claudius M. Seaman,
 Capt. Hugh J. B. McElgin,
 Capt. Arthur L. Fuller,
 Capt. Henry R. Casey,
 Capt. David Y. Beckham,
 Capt. Richard C. Marshall, jr.,
 Capt. John O. Steger,
 Capt. Rex Van Den Corput,
 Capt. James A. Thomas,
 Capt. James D. Watson,
 Capt. Frank T. Hines,
 Capt. James Totten,
 Capt. Wesley W. K. Hamilton,
 Capt. Benjamin H. Kerfoot,
 Capt. Edward Canfield, jr.,
 Capt. Arthur H. Bryant,
 Capt. Edward M. Shinkle,
 Capt. William R. Bettison,
 Capt. Gordon Robinson,
 Capt. Claude E. Brigham,
 Capt. James Prentice,
 Capt. Howard S. Miller,
 Capt. William H. Menges,
 Capt. Francis J. Behr,
 Capt. John R. Musgrave,
 Capt. Albert L. Rhoades,
 Capt. William E. Murray,
 Capt. Graham Parker,
 Capt. Norris Stayton,
 Capt. Richard Furnival,
 Capt. Ralph D. Herring,
 Capt. William E. De Sombre,
 Capt. Glen F. Jenks,
 Capt. Clarence B. Ross,
 Capt. Richard H. Jordan,
 Capt. James B. Taylor,
 Capt. Brainerd Taylor,
 Capt. Frank Geere,
 Capt. Charles E. Wheatley,
 Capt. Adam F. Casad,
 Capt. John E. Munroe,
 Capt. Walter K. Wilson,
 Capt. Offnere Hope,
 Capt. John O'Neill,
 Capt. Owen G. Collins,
 Capt. Frederic H. Smith,
 Capt. Charles H. Patterson,
 Capt. Lewis Turtle,
 Capt. Clifford Jones,
 Capt. Louis C. Brinton, jr.,
 Capt. Paul D. Bunker,
 Capt. Louis R. Dice,
 Capt. William M. Colvin,
 Capt. Henry W. Bunn,
 Capt. Harry L. Morse,
 Capt. Mark L. Ireland,
 Capt. Charles R. Alley,
 Capt. Lucian B. Moody,
 Capt. Fulton Q. C. Gardner,
 Capt. John W. McKie,

Capt. James B. Dillard,
 Capt. Carr Waller,
 Capt. David McC. McKell,
 Capt. Matthew A. Cross,
 Capt. Henning F. Colley,
 Capt. Albert H. Barkley,
 Capt. Walter Singles,
 Capt. Bollo F. Anderson,
 Capt. Edward E. Farnsworth,
 Capt. William T. Carpenter,
 Capt. Frank H. Phipps,
 Capt. Thomas Duncan,
 Capt. Thomas M. Spaulding,
 Capt. Benjamin H. L. Williams,
 Capt. Halsey Dunwoody,
 Capt. Le Roy Bartlett,
 Capt. Robert C. Eddy,
 Capt. Julius C. Peterson,
 Capt. James F. Walker,
 Capt. Ellery W. Niles,
 Capt. Adelno Gibson,
 Capt. John L. Holcombe,
 Capt. James S. Dusenbury,
 Capt. Lloyd B. Magruder,
 Capt. Sidney H. Guthrie,
 Capt. Nathan Horowitz,
 Capt. Lloyd P. Horsfall,
 Capt. Charles G. Mettler,
 Capt. Charles B. Gatewood,
 Capt. Joseph H. Pelot,
 Capt. Morgan L. Brett,
 Capt. Forrest E. Williford,
 Capt. Earl McFarland,
 Capt. Joseph A. Green,
 Capt. Alexander G. Pendleton, and
 Capt. John C. Henderson.

To be captains.

First Lieut. Martin J. O'Brien,
 First Lieut. Joseph C. Haw,
 First Lieut. Iverson B. Summers, jr.,
 First Lieut. Clifford R. Jones,
 First Lieut. John B. Wogan,
 First Lieut. Clesen H. Tenney,
 First Lieut. Frank E. Emery, jr.,
 First Lieut. Edward C. Wallington,
 First Lieut. Carl E. Hocker,
 First Lieut. Richmond T. Gibson,
 First Lieut. Edward B. Hyde, jr.,
 First Lieut. Herbert R. Corbin,
 First Lieut. Charles H. Chapin,
 First Lieut. William P. Cherrington,
 First Lieut. Charles R. Finley,
 First Lieut. Albert W. Draves,
 First Lieut. Benjamin S. Beverley,
 First Lieut. Carl L. Marriott,
 First Lieut. Hugh A. Ramsey,
 First Lieut. Willis McD. Chapin,
 First Lieut. Carl S. Doney,
 First Lieut. James de B. Walbach,
 First Lieut. Richard M. Levy,
 First Lieut. Ellicott H. Freeland,
 First Lieut. James C. Ruddell,
 First Lieut. Joseph J. O'Hare,
 First Lieut. William G. Patterson,
 First Lieut. Frank C. Scofield,
 First Lieut. Ferdinand F. Gallagher,
 First Lieut. Barrington L. Flanigen,
 First Lieut. Frederick W. Smith,
 First Lieut. Robert S. Barr,
 First Lieut. Charles J. Herzer,
 First Lieut. William M. Cravens,
 First Lieut. John B. Martin,
 First Lieut. Edwin C. Mead,
 First Lieut. William T. Roberts,
 First Lieut. Carl J. Smith,
 First Lieut. Dugald Mac A. Barr,
 First Lieut. James D. Mac Mullen,
 First Lieut. Charles W. Bundy,
 First Lieut. Charles D. Y. Ostrom,
 First Lieut. Donald M. Cole,
 First Lieut. James C. Hutson,
 First Lieut. Francis A. Hause,
 First Lieut. Edward E. MacMorland,
 First Lieut. Henry B. Holmes, jr.,

First Lieut. Arvid M. Pendleton,
 First Lieut. Leslie V. Jefferis,
 First Lieut. Stuart A. Hamilton,
 First Lieut. Howard F. Gill,
 First Lieut. Gerald R. Butz,
 First Lieut. Joseph W. Barker,
 First Lieut. Shuey E. Wolfe,
 First Lieut. Frank J. Atwood,
 First Lieut. Carl C. Terry,
 First Lieut. Fred G. French,
 First Lieut. Edward A. Murphy,
 First Lieut. Jep C. Hardigg,
 First Lieut. Dale D. Hinman,
 First Lieut. George D. Davidson,
 First Lieut. Robert E. Turley, jr.,
 First Lieut. Richard B. Webb,
 First Lieut. Moses Goodman,
 First Lieut. Kenneth S. Purdie,
 First Lieut. Jules E. Piccard,
 First Lieut. Robert E. Phillips,
 First Lieut. William R. Stewart,
 First Lieut. Edgar Nash, jr.,
 First Lieut. Vincent B. Dixon,
 First Lieut. Wilmer S. Phillips,
 First Lieut. Otis A. Wallace,
 First Lieut. Edgar H. Underwood,
 First Lieut. Howard S. Thomas,
 First Lieut. Paul H. French,
 First Lieut. Horace L. Whittaker,
 First Lieut. Gordon de L. Carrington,
 First Lieut. James Q. Rood,
 First Lieut. James L. Hatcher,
 First Lieut. Ira B. Hill,
 First Lieut. Berthold Vogel,
 First Lieut. Odes T. Pogue,
 First Lieut. William Chason,
 First Lieut. Evan C. Seaman,
 First Lieut. Clarence E. Cotter,
 First Lieut. Gordon B. Welch,
 First Lieut. James M. Evans,
 First Lieut. Cedric F. Maguire,
 First Lieut. Edward E. Murphy,
 First Lieut. Marshall M. Williams, jr.,
 First Lieut. Henry R. Behrens,
 First Lieut. Edward C. Seeds,
 First Lieut. Edison A. Lynn,
 First Lieut. Milton P. Morrill,
 First Lieut. Guy H. Drewry,
 First Lieut. Raphael S. Chavin,
 First Lieut. John L. Scott,
 First Lieut. Alva F. Englehart,
 First Lieut. Harold R. Jackson,
 First Lieut. Morris K. Barroll, jr.,
 First Lieut. Walter W. Warner,
 First Lieut. Walter F. Vander Hyden,
 First Lieut. Ira A. Crump,
 First Lieut. Elbert L. Ford, jr.,
 First Lieut. Samuel H. Bradbury, jr.,
 First Lieut. James L. Hayden,
 First Lieut. Scott B. Ritchie,
 First Lieut. George S. Beurket,
 First Lieut. Burnett R. Olmsted,
 First Lieut. Joel G. Holmes,
 First Lieut. James A. Code, jr.,
 First Lieut. William Sackville,
 First Lieut. Leroy H. Lohmann,
 First Lieut. Christian G. Foltz,
 First Lieut. Aaron Bradshaw, jr.,
 First Lieut. William W. Cowgill,
 First Lieut. Harry R. Pierce,
 First Lieut. Lawrence C. Mitchell,
 First Lieut. Alexander H. Campbell,
 First Lieut. Marvil G. Armstrong,
 First Lieut. John R. Nygaard,
 First Lieut. James L. Keane,
 First Lieut. John A. Messerschmidt,
 First Lieut. Benjamin Bowering,
 First Lieut. Henry F. Grimm, jr.,
 First Lieut. Henry Linsert,
 First Lieut. Donald L. Dutton,
 First Lieut. Leland A. Miller,
 First Lieut. Arthur N. Harrigan,
 First Lieut. Percy C. Hamilton,
 First Lieut. Robert A. Laird,

First Lieut. Porter P. Lowry,
 First Lieut. Joseph W. Hazell,
 First Lieut. John B. Day,
 First Lieut. Nelson Dingley, 3d,
 First Lieut. Carl R. Adams,
 First Lieut. Edward C. Lohr,
 First Lieut. Byron T. Ipock,
 First Lieut. George W. Hovey,
 First Lieut. Ernest L. Bigham,
 First Lieut. Raymond H. Schutte,
 First Lieut. Carl R. Crosby,
 First Lieut. Charles T. Halbert,
 First Lieut. Claude G. Benham,
 First Lieut. Roy D. Burdick,
 First Lieut. Franklin A. Green,
 First Lieut. Harrie J. Rechtsteiner,
 First Lieut. Willard W. Irvine,
 First Lieut. William D. Evans,
 First Lieut. Clarence N. Winston,
 First Lieut. Albert M. Jackson,
 First Lieut. Lyle B. Chapman,
 First Lieut. Joseph P. Kohn,
 First Lieut. Robert J. Van Buskirk,
 First Lieut. Frederick L. Topping,
 First Lieut. Thomas R. Phillips,
 First Lieut. Charles S. Erswell, jr.,
 First Lieut. Lewis Merriam, jr.,
 First Lieut. Fenton G. Epling,
 First Lieut. Ross G. Hoyt,
 First Lieut. William Mayer,
 First Lieut. Hubert A. McMorrow,
 First Lieut. Douglas G. Clark,
 First Lieut. Vernon G. Cox,
 First Lieut. Ralph G. Lockett,
 First Lieut. John H. La Fitte,
 First Lieut. Leon C. Dennis,
 First Lieut. Clarence L. Stevens,
 First Lieut. Caruthers A. Coleman, and
 First Lieut. William F. Lafrenz.

WITHDRAWALS.

Executive nominations withdrawn from the Senate February 13, 1918.

CAVALRY ARM.

To be captains.

First Lieut. Ion C. Holm, Cavalry, from October 12, 1917, vice Capt. John A. Pearson, placed on the detached officers' list.
 First Lieut. Robert C. Candee, Cavalry, from October 12, 1917, vice Capt. Olan C. Aleshire, placed on the detached officers' list.

First Lieut. Joseph L. Phillips, Cavalry, from October 12, 1917, vice Capt. Kinzie B. Edmunds, placed on the detached officers' list.

First Lieut. Kenneth McCatty, Cavalry, from October 23, 1917, vice Capt. Stewart O. Elting, detailed in the Quartermaster Corps.

First Lieut. Joseph W. Geer, Cavalry, from October 23, 1917, vice Capt. Ben Lear, jr., detailed in the General Staff.

First Lieut. Edwin D. Morgan, jr., Cavalry, subject to examination required by law, from October 23, 1917, vice Capt. Morton C. Mumma, detailed in the General Staff.

First Lieut. Leslie B. C. Jones, Cavalry, subject to examination required by law, from October 23, 1917, vice Capt. William H. Cowles, detailed in the Inspector General's Department.

First Lieut. Kramer Thomas, Cavalry, from October 31, 1917, vice Capt. John Kennard, detailed in the Quartermaster Corps.

First Lieut. James R. Finley, Cavalry, from November 5, 1917, vice Capt. Orlando C. Troxel, died November 4, 1917.

First Lieut. Willard S. Wadleton, Cavalry, from November 5, 1917, vice Capt. Joseph M. Tully, placed on the detached officers' list.

First Lieut. Hale S. Cook, Cavalry, from November 5, 1917, vice Capt. John A. Berry, placed on the detached officers' list.

First Lieut. John M. Jenkins, jr., Cavalry, from November 5, 1917, vice Capt. Verne R. Bell, placed on the detached officers' list.

First Lieut. Beverly H. Coiner, Cavalry, from November 5, 1917, vice Capt. Mack Garr, placed on the detached officers' list.

First Lieut. Albert D. Chipman, Cavalry, from November 5, 1917, vice Capt. William C. Christy, detailed in the Quartermaster Corps.

First Lieut. Arthur H. Truxes, Cavalry, from November 5, 1917, vice Capt. Henry D. F. Munnikhuysen, detailed in the Quartermaster Corps.

First Lieut. Gordon J. F. Heron, Cavalry, from November 5, 1917, vice Capt. Leon M. Logan, detailed in the Quartermaster Corps.

First Lieut. Carl C. Krueger, Cavalry, subject to examination required by law, from November 5, 1917, vice Capt. James S. Mooney, detailed in the Quartermaster Corps.

First Lieut. Hugh M. Gregory, Cavalry, from November 5, 1917, vice Capt. Lindsley D. Beach, detailed in the Quartermaster Corps.

First Lieut. Oron A. Palmer, Cavalry, from November 6, 1917, vice Capt. Pearson Menoher, placed on the detached officers' list.

First Lieut. Stanley Bacon, Cavalry, from December 11, 1917, vice Capt. George B. Comly, detailed in The Adjutant General's Department.

First Lieut. Samuel V. Constant, Cavalry, subject to examination required by law, from December 19, 1917, vice Capt. Abbott Boone, detailed in the Signal Corps.

First Lieut. William C. Chase, Cavalry, from December 22, 1917, vice Capt. George A. Purington, detailed in Ammunition Train.

First Lieut. Norman E. Fiske, Cavalry, from December 29, 1917, vice Capt. John C. Montgomery, detailed in Ammunition Train.

First Lieut. Donald O. Miller, Cavalry, from December 29, 1917, vice Capt. Ralph I. Sasse, detailed in Ammunition Train.

To be first lieutenants.

Second Lieut. Vance W. Batchelor, Cavalry, with rank from October 12, 1917, vice First Lieut. Ion C. Holm, promoted.

Second Lieut. Truman E. Boudinot, Cavalry, with rank from October 12, 1917, vice First Lieut. Robert C. Candee, promoted.

Second Lieut. James R. Wood, Cavalry, with rank from October 12, 1917, vice First Lieut. Harrison Herman, placed on the detached officers' list.

Second Lieut. William J. Gallagher, Cavalry, with rank from October 12, 1917, vice First Lieut. Chapman Grant, placed on the detached officers' list.

Second Lieut. Charles Rudd, Cavalry, with rank from October 12, 1917, vice First Lieut. Daniel A. Conner, placed on the detached officers' list.

Second Lieut. James G. Strobbridge, Cavalry, with rank from October 12, 1917, vice First Lieut. Harley C. Dagley, placed on the detached officers' list.

Second Lieut. Stephen Boon, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. George W. Wersebe, placed on the detached officers' list.

Second Lieut. Harold G. Holt, Cavalry, with rank from October 12, 1917, vice First Lieut. Milton R. Fisher, placed on the detached officers' list.

Second Lieut. Walter Gunther, Cavalry, with rank from October 12, 1917, vice First Lieut. John S. Judwin, placed on the detached officers' list.

Second Lieut. Roy V. Morledge, Cavalry, with rank from October 12, 1917, vice First Lieut. Arthur P. Thayer, placed on the detached officers' list.

Second Lieut. John W. Noble, Cavalry, with rank from October 12, 1917, vice First Lieut. Edward R. Scheitlin, placed on the detached officers' list.

Second Lieut. Herman R. Crile, Cavalry, with rank from October 12, 1917, vice First Lieut. Edwin A. Martin, placed on the detached officers' list.

Second Lieut. Joseph E. Torrence, Cavalry, with rank from October 12, 1917, vice First Lieut. John B. Harper, placed on the detached officers' list.

Second Lieut. Charles G. Hutchinson, Cavalry, with rank from October 12, 1917, vice First Lieut. James G. Monihan, placed on the detached officers' list.

Second Lieut. Chester P. Dorland, Cavalry (Signal Corps), with rank from October 12, 1917, vice First Lieut. Anthony J. Kirt, placed on the detached officers' list.

Second Lieut. Ernest D. McQueen, Cavalry, with rank from October 12, 1917, vice First Lieut. Rexford E. Willoughby, placed on the detached officers' list.

Second Lieut. Archie E. Groff, Cavalry, with rank from October 12, 1917, vice First Lieut. John D. Austin, placed on the detached officers' list.

Second Lieut. George D. Wiltshire, Cavalry, with rank from October 12, 1917, vice First Lieut. John P. Kaye, placed on the detached officers' list.

Second Lieut. Alfonso F. Zerbee, Cavalry, with rank from October 12, 1917, vice First Lieut. James W. Barnett, placed on the detached officers' list.

Second Lieut. Jackson B. Wood, Cavalry, with rank from October 12, 1917, vice First Lieut. Howard C. Tobin, placed on the detached officers' list.

Second Lieut. Arthur J. Wehr, Cavalry, with rank from October 12, 1917, vice First Lieut. John A. Weeks, placed on the detached officers' list.

Second Lieut. Robert C. Scott, Cavalry, with rank from October 12, 1917, vice First Lieut. Lester A. Sprinkle, placed on the detached officers' list.

Second Lieut. Ernest F. Apeldorn, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. Terrill E. Price, placed on the detached officers' list.

Second Lieut. John R. Evans, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. Arthur C. D. Anderson, placed on the detached officers' list.

Second Lieut. De Lancey Bentley, Cavalry, with rank from October 24, 1917, vice First Lieut. Nelson M. Imboden, placed on the detached officers' list.

Second Lieut. William P. Rauch, Cavalry, with rank from October 24, 1917, vice First Lieut. Randolph Dickins, placed on the detached officers' list.

Second Lieut. John A. Garvin, Cavalry, with rank from October 24, 1917, vice First Lieut. Wharton G. Ingram, placed on the detached officers' list.

Second Lieut. Daniel D. Streeter, Cavalry, with rank from October 24, 1917, vice First Lieut. Edward T. Moale, placed on the detached officers' list.

Second Lieut. Randolph Russell, Cavalry, with rank from October 24, 1917, vice First Lieut. Frederick J. Holzbaur, placed on the detached officers' list.

Second Lieut. Brock Putnam, Cavalry, with rank from October 24, 1917, vice First Lieut. Joseph M. Hurt, jr., placed on the detached officers' list.

Second Lieut. Leland L. Miller, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles B. Duncan, placed on the detached officers' list.

Second Lieut. Edwin M. Sumner, Cavalry, with rank from October 24, 1917, vice First Lieut. Ferris M. Angevine, placed on the detached officers' list.

Second Lieut. William J. McChesney, jr., Cavalry, with rank from October 24, 1917, vice First Lieut. Sam G. Fuller, placed on the detached officers' list.

Second Lieut. Joseph Sheehan, Cavalry, with rank from October 24, 1917, vice First Lieut. Delmore S. Wood, placed on the detached officers' list.

Second Lieut. James M. Currin, Cavalry, with rank from October 24, 1917, vice First Lieut. Laurence C. Frizzell, placed on the detached officers' list.

Second Lieut. Thomas H. Green, Cavalry, with rank from October 24, 1917, vice First Lieut. Henry D. Jay, placed on the detached officers' list.

Second Lieut. William H. C. Grimes, Cavalry, with rank from October 24, 1917, vice First Lieut. George Sawtelle, placed on the detached officers' list.

Second Lieut. Russell C. Winchester, Cavalry, with rank from October 24, 1917, vice First Lieut. Ray Harrison, placed on the detached officers' list.

Second Lieut. James S. Rodwell, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles H. Gerhardt, placed on the detached officers' list.

Second Lieut. Charles F. Choate, 3d, Cavalry, with rank from October 24, 1917, vice First Lieut. Walter H. Schulze, placed on the detached officers' list.

Second Lieut. Charles D. Ryan, Cavalry, with rank from October 24, 1917, vice First Lieut. Herbert C. Holdridge, placed on the detached officers' list.

Second Lieut. Nathaniel Holmes, Cavalry, with rank from October 24, 1917, vice First Lieut. Nicholas W. Lisle, placed on the detached officers' list.

Second Lieut. Kirk Broadus, Cavalry, with rank from October 24, 1917, vice First Lieut. William K. Harrison, jr., placed on the detached officers' list.

Second Lieut. Paul Blackmer, Cavalry, with rank from October 24, 1917, vice First Lieut. Josiah F. Morford, placed on the detached officers' list.

Second Lieut. Herbert A. Suman, Cavalry, with rank from October 24, 1917, vice First Lieut. Ernest N. Harmon, placed on the detached officers' list.

Second Lieut. Harold de B. Bruck, Cavalry, with rank from October 24, 1917, vice First Lieut. Herbert N. Schwarzkopf, placed on the detached officers' list.

Second Lieut. Donald A. Young, Cavalry, with rank from October 24, 1917, vice First Lieut. Robert N. Kunz, placed on the detached officers' list.

Second Lieut. Hans C. Minuth, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles S. Kilburn, placed on the detached officers' list.

Second Lieut. Edwin C. Gere, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles R. Johnson, jr., placed on the detached officers' list.

Second Lieut. John M. Sweeney, jr., Cavalry, with rank from October 24, 1917, vice First Lieut. Mortimer H. Christian, placed on the detached officers' list.

Second Lieut. George G. Ball, Cavalry, with rank from October 24, 1917, vice First Lieut. Heywood S. Dodd, placed on the detached officers' list.

Second Lieut. Samuel C. Skemp, Cavalry, with rank from October 24, 1917, vice First Lieut. Maurice Morgan, placed on the detached officers' list.

Second Lieut. Jacob M. Carter, jr., Cavalry, with rank from October 25, 1917, vice First Lieut. Carter R. McLennan, placed on the detached officers' list.

Second Lieut. Thomas P. Hazard, Cavalry, with rank from October 25, 1917, vice First Lieut. James L. Franciscus, placed on the detached officers' list.

Second Lieut. Francis C. Dossert, Cavalry, with rank from October 25, 1917, vice First Lieut. Erskine A. Franklin, placed on the detached officers' list.

Second Lieut. George W. Ewing, jr., Cavalry, with rank from October 25, 1917, vice First Lieut. Herbert E. Watkins, placed on the detached officers' list.

Second Lieut. Crawford C. Madeira, Cavalry, with rank from October 25, 1917, vice First Lieut. Lathan A. Collins, placed on the detached officers' list.

Second Lieut. Charles P. Davis, Cavalry, with rank from October 25, 1917, vice First Lieut. John A. Hettinger, placed on the detached officers' list.

Second Lieut. Harry R. Kilbourne, Cavalry, with rank from October 25, 1917, vice First Lieut. Lloyd W. Biggs, placed on the detached officers' list.

Second Lieut. Elmer E. Finck, Cavalry, with rank from October 25, 1917, vice First Lieut. William D. Savage, placed on the detached officers' list.

Second Lieut. Harry H. Semmes, Cavalry, with rank from October 25, 1917, vice First Lieut. Kenneth McCatty, promoted.

Second Lieut. Clifford A. Eastwood, Cavalry, with rank from October 25, 1917, vice First Lieut. Joseph W. Geer, promoted.

Second Lieut. Guy A. Russell, Cavalry, with rank from October 25, 1917, vice First Lieut. Leslie B. C. Jones, promoted.

Second Lieut. Fenton S. Jacobs, Cavalry, with rank from November 5, 1917, vice First Lieut. Beverly H. Coiner, promoted.

Second Lieut. Catesby ap C. Jones, Cavalry, with rank from November 5, 1917, vice First Lieut. Albert D. Chipman, promoted.

Second Lieut. Charles Wharton, Cavalry, with rank from November 5, 1917, vice First Lieut. Arthur H. Truxes, promoted.

Second Lieut. W. Dirk Van Ingen, Cavalry, with rank from November 5, 1917, vice First Lieut. Carl C. Krueger, promoted.

Second Lieut. Herbert V. Scanlan, Cavalry, with rank from November 5, 1917, vice First Lieut. Hugh M. Gregory, promoted.

Second Lieut. Sigurd von Christierson, Cavalry, with rank from November 5, 1917, vice First Lieut. Frank H. Barnhardt, placed on the detached officers' list.

Second Lieut. Kenneth O. Spinning, Cavalry, with rank from November 10, 1917, vice First Lieut. Louis Cansler, detailed in the Signal Corps.

Second Lieut. Curt E. Hansen, Cavalry, with rank from December 1, 1917, vice First Lieut. Richard N. Mather, dismissed.

Second Lieut. Vincent P. Ryan, Cavalry, with rank from December 2, 1917, vice First Lieut. Horace K. Havlicek, died December 1, 1917.

Second Lieut. Raymond C. Blatt, Cavalry, with rank from December 11, 1917, vice First Lieut. Stanley Bacon, promoted.

Second Lieut. Clinton de Witt, Cavalry, with rank from December 22, 1917, vice First Lieut. William C. Chase, promoted.

Second Lieut. Harold J. Adams, Cavalry, with rank from December 29, 1917, vice First Lieut. Norman E. Fiske, promoted.

Second Lieut. William B. Van Auken, Cavalry, with rank from December 29, 1917, vice First Lieut. Donald O. Miller, promoted.

Second Lieut. Harold Kitson, Cavalry, with rank from January 8, 1918, vice First Lieut. Merl J. Flatt, appointment terminated.

Second Lieut. John Boies, Cavalry, with rank from January 9, 1918, vice First Lieut. Alan B. Edson, appointment terminated.

INFANTRY ARM.

To be major with rank from November 29, 1917.

Capt. Harry H. Pritchett, Infantry, vice Maj. George E. Goodrich, detailed in the Signal Corps.

To be major with rank from November 30, 1917.

Capt. Edward L. Field, Infantry, vice Maj. James W. H. Reisinger, detailed in the Quartermaster Corps.

To be majors with rank from December 1, 1917.

Capt. Earl C. Buck, Infantry, vice Maj. Charles B. Elliott, resigned commission as temporary major.

Capt. Jere Baxter, Infantry, detached officers' list, vice Maj. Edmund C. Waddill, resigned commission as temporary major.

Capt. A. Ellicott Brown, Infantry, vice Maj. Arthur M. Ferguson, detailed in The Adjutant General's Department.

Capt. James M. Lockett, Infantry, vice Maj. Harry Hawley, resigned commission as temporary major.

To be majors with rank from December 4, 1917.

Capt. Eugene Robinson, Infantry, vice Maj. Jacob W. S. Wuest, detailed in the Signal Corps.

Capt. Jesse C. Drain, Infantry, detached officers' list, vice Maj. William W. Bessell, detailed in The Adjutant General's Department.

To be major with rank from December 10, 1917.

Capt. Alexander W. Chilton, Infantry, detached officers' list, vice Maj. Joseph F. Ware, detailed in the Signal Corps.

To be major with rank from December 14, 1917.

Capt. William E. Morrison, Infantry, detached officers' list, vice Maj. Alfred W. Bjornstad, promoted lieutenant colonel.

To be majors with rank from December 19, 1917.

Capt. Donald J. MacLachlan, Infantry, vice Maj. Resolve P. Palmer, detailed in the Signal Corps.

Capt. Charles H. Rice, Infantry, vice Maj. James G. Boswell, detailed in the Signal Corps.

To be captains.

First Lieut. Sigurd J. Simonsen, Infantry, to be captain from December 2, 1917, subject to examination, vice Capt. James A. O'Brien, transferred to the detached officers' list.

First Lieut. Thomas G. Bond, Infantry, to be captain from December 19, 1917, subject to examination, vice Capt. Otis K. Sadtler, detailed in the Signal Corps.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 13, 1918.

The House met at 12 o'clock noon.

The Rev. William Couden, of Washington, D. C., offered the following prayer:

O God, Father Almighty, from wicked intrigue and unholy sedition defend our country. Let our growth as a Nation be not merely an accruing of worldly wealth and potency, but in equal measure at least edify us in the things not seen but eternal.

We beseech Thee to give success to our fighting forces on sea, on land, and in the air; and to be with every individual man of them in office and in the ranks, and with every doctor, nurse, Red Cross worker, and laborer for moral health among our forces.

For ourselves personally, we beg Thee, let not our desires outrun conscience. Bar us from insidious fallacies of act as well as of thought. Steer a right course for us between our wisdom and our power. And keep us in correct relationship to self, to our neighbor, and to Thee; that for us the dear Savior may not have lived and died in vain. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

Mr. CLARK of Florida. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. CLARK of Florida. Mr. Speaker, I rise to make a motion to change the reference of a bill. I move that the bill H. R. 9642, referred to the Committee on Labor, be rereferred to the Committee on Public Buildings and Grounds.

The SPEAKER. Has the gentleman authority to make that request from the committee?

Mr. CLARK of Florida. Yes; by direction of the committee I make the motion, and pending that I ask—

The SPEAKER. The Clerk will report the bill.

Mr. CLARK of Florida. Then I will not make the unanimous-consent request. I simply wanted the House to understand what it was.

The SPEAKER. The gentleman from Florida, by authority of the Committee on Public Buildings and Grounds, moves that the bill which the Clerk is about to report be taken from the Committee on Labor and rereferred to the Committee on Public Buildings and Grounds. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9642) to authorize the Secretary of Labor to provide housing for war needs.

Be it enacted, etc. That the Secretary of Labor, for the purposes of providing housing, transportation, and other community facilities for employees of the Government and for industrial workers engaged in industries connected with the national defense and security, and their families, is hereby authorized and empowered within the limits of the amounts herein authorized—

(a) To purchase, lease, construct, requisition, or acquire by condemnation or otherwise such houses, buildings, furnishings, improvements, facilities, and parts thereof as he may determine.

(b) To purchase, lease, requisition, or acquire by condemnation or otherwise any improved or unimproved land or any right, title, or interest therein, on which such houses, buildings, improvements, facilities, and parts thereof have been or may be constructed.

(c) To equip, manage, maintain, alter, sell, lease, exchange, or otherwise dispose of such lands or right, title, or interest therein, houses, buildings, improvements, facilities, parts thereof, and equipment, upon such terms and conditions as he may determine.

(d) To aid in providing, equipping, managing, and maintaining houses, buildings, improvements, and facilities by loan or otherwise to such person or persons and upon such terms and conditions as he may determine.

The Secretary of Labor may exercise any power and discretion herein granted, and may enter into any arrangement or contract incidental thereto, through such agency or agencies as he may create or designate.

Sec. 2. That whenever the Secretary of Labor shall purchase, lease, requisition, or acquire by condemnation or otherwise such land or right, title, or interest therein, or such houses, buildings, furnishings, improvements, facilities, and parts thereof, he shall make just compensation therefor, to be determined by him, and if the amount thereof so determined is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined and shall be entitled to sue the United States to recover such further sum as, added to such 75 per cent, will make up such amount as will be just compensation therefor in the manner provided for by section 24, paragraph 20 and section 145 of the Judicial Code.

Sec. 3. That upon the requisition of or the filing of a petition for the condemnation hereunder of such land, or any right, title, or interest therein, or such houses, buildings, furnishings, improvements, facilities, and parts thereof, immediate possession thereof may be taken to the extent of the interest to be acquired, and the same may be occupied and used, and the provisions of section 355 of the Revised Statutes, providing that no public money shall be expended upon such land until the written opinion of the Attorney General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land is located has been given, shall be, and the same are hereby, suspended as to all real estate acquired hereunder.

Sec. 4. That the word "person" used herein shall include any person, trustee, firm, or corporation.

Sec. 5. That the power and authority granted in paragraphs (a), (b), and (d) hereof shall cease with the termination of the present war with Germany.

Sec. 6. That for carrying out the provisions of this act, and for the administration thereof, the sum of \$50,000,000 is hereby appropriated out of any funds in the Treasury not otherwise appropriated.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. Is this motion debatable?

The SPEAKER. It is not.

Mr. LONDON. Reserving the right to object—

The SPEAKER. The gentleman can not object.

Mr. LONDON. I ask unanimous consent to make a statement for one minute.

Mr. FLOOD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred gentlemen are present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] moves a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. CLARK of Florida. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. On this call is the vote on the motion?

The SPEAKER. No; the vote is simply "present."

The roll was called, and the following Members failed to answer to their names:

Almon	Dyer	Knutson	Scally
Anderson	Edmonds	LaGuardia	Sisson
Ashbrook	Ellsworth	McCormick	Smith, Charles B.
Austin	Fairchild, Geo. W.	Magee	Snyder
Britten	Flynn	Maher	Steenerson
Brumbaugh	Godwin, N. C.	Miller, Minn.	Sterling, Pa.
Capstick	Goodall	Montague	Strong
Carlin	Gray, Ala.	Nicholls, S. C.	Sullivan
Chandler, N. Y.	Gray, N. J.	Olney	Temple
Classon	Hamilton, N. Y.	Padgett	Tolson
Coady	Haskell	Platt	Vare
Crosser	Hastings	Pratt	Yenabe
Curry, Cal.	Heintz	Ragsdale	Volstead
Davidson	Holland	Riordan	Ward
Davis	Hollingsworth	Rodenberg	Watson, Pa.
Dewalt	Hood	Rowland	White, Ohio
Dillon	Humphreys	Sanders, La.	Wilson, La.
Drukker	Johnson, S. Dak.	Sanders, N. Y.	Young, N. Dak.
Dunn	Kettner	Scott, Pa.	

The SPEAKER. On this vote 353 Members, a quorum, have answered to their names.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The question is on the motion made by the gentleman from Florida [Mr. CLARK].

Mr. NOLAN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. NOLAN. I rise to make a point of order on the motion of the gentleman from Florida [Mr. CLARK] that his motion is not in order at this time. It is contrary to the practice of the House to interfere with a committee that has held hearings on the bill, and we have held extensive hearings on this labor-housing bill.

Mr. CLARK of Florida. Mr. Speaker, I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. Does not the gentleman's objection come too late? The matter has already been considered and submitted.

The SPEAKER. The matter has not been considered and is not debatable. If the conditions as stated by the gentleman from California [Mr. NOLAN] are correct, this motion is not in order.

Mr. CLARK of Florida. Mr. Speaker, I want to be heard on that.

The SPEAKER. Does the gentleman dispute the fact? If so, the Chair will hear the gentleman.

Mr. CLARK of Florida. Mr. Speaker—

The SPEAKER. The Chair wants to find out before this argument starts whether or not it is conceded that the Committee on Labor has had hearings on this bill?

Mr. CLARK of Florida. I understand they have.

The SPEAKER. Then the point of order is well taken.

Mr. CRISP. Mr. Speaker, I want to be heard on that proposition.

Mr. CLARK of Florida. I would like to be heard.

The SPEAKER. If the gentleman will proceed, the Chair will hear him.

Mr. CLARK of Florida. Under the third paragraph of Rule XXIV, provision is made for the making of this motion immediately after the reading of the Journal upon any day. I will show the Speaker in the rulings, in the fourth volume of Hinds' Precedents, that Mr. Speaker Crisp, Mr. Speaker Reed, and Mr. Speaker CANNON have each one of them concurred in the opinion that this motion can be made until the bill is actually reported to the House.

The SPEAKER. Well, the gentleman will please read the authority.

Mr. CLARK of Florida. The question has been raised in a number of cases, and in section No. 4365, in the fourth volume of Hinds' Precedents, it says:

According to the later practice of the House the erroneous reference of a public bill, if it remain uncorrected, in effect gives jurisdiction to the committee receiving it.

On October 19, 1893, Mr. Joseph Wheeler, of Alabama, on behalf of the Committee on the Territories, presented for consideration the bill (H. R. 3606) to require railroad companies operating railroads in the Territories over a right of way granted by the Government to establish stations and depots at all town sites on the lines of said roads established by the Interior Department.

Mr. W. A. Stone, of Pennsylvania, made the point of order that the bill, not being within the jurisdiction of the Committee on the Territories, had been erroneously reported and was improperly on the calendar.

Mr. KITCHIN. Reported?

Mr. CLARK of Florida. Yes; and was improperly on the calendar.

The Speaker overruled the point, holding as follows—

And the Speaker was Mr. Crisp, of Georgia—

The reference of a public bill, as described by the rules, is different from that prescribed in regard to private bills. An erroneous reference of a public bill may be corrected any morning immediately after the reading of the Journal, either by unanimous consent or on motion of a Member representing the committee to which the bill has been erroneously referred or on motion of the committee claiming jurisdiction. And where a public bill has been suffered, even erroneously, to be considered by a committee and that committee has reported it back to the House, there is no way of raising the question of jurisdiction if the bill is a public bill.

On January 12, 1897, is another case, as follows:

During the call of committees, in the morning hour, Mr. Charles S. Hartman, of Montana, called up, when the Committee on Mines and Mining was called, the bill (H. R. 6780) to amend section 2335 of the Revised Statutes.

Mr. John F. Lacey, of Iowa, reserved the point of order that the bill should have been referred to the Committee on Public Lands and not to the Committee on Mines and Mining.

The Speaker, Mr. Reed, said:

The rules prescribe that if by any error or misunderstanding a bill has been sent to the wrong committee, it is the duty of the committee who desire jurisdiction to present the matter to the House for a change; and no question having been raised, and the committee having reported, the Chair thinks it is too late to raise the question.

And then again, in section 4370 of Hinds:

On January 15, 1900, the bill (H. R. 5042) to provide for improvements in the tax departments of the District of Columbia, which had been reported from the Committee on the District of Columbia, was called up for consideration, when Mr. William W. Grout, of Vermont, raised the question that the bill should have been referred to the Committee on Appropriations, as it carried an appropriation.

After debate the Speaker, Mr. Henderson, of Iowa, said:

The point of order made by the gentleman from Vermont, as the Chair understands, is that this committee—the Committee on the District of Columbia—has no jurisdiction over this bill because it contains an appropriation. It has been said by Speaker Crisp, Speaker Reed, and others that an erroneous reference of a public bill, remaining uncorrected, in effect gives jurisdiction to the committee. The House has had its day in court to have the erroneous reference corrected and has failed to do so. The Chair is of the opinion, therefore, that this matter is properly within the control of this committee, and that it is within the power of the House in considering the bill to determine whether to leave the appropriation in the bill or to strike the appropriation out of the bill and leave only the matters of general legislation.

That was after the bill was reported and was in the House and being considered. And I assert, Mr. Speaker, that there is not a single precedent in these books to show where any Speaker has ever held that a motion to change a reference was not in order up to the very moment that the bill was reported by the committee having charge of it and it was on the calendar. Even if it had been reported and had not been placed on the calendar the motion can be made, and it is in order to make it. I do not think, Mr. Speaker, that there is anything further to say on the point of order.

Besides that it has been suggested to me, Mr. Speaker, that if that were not the rule a Member, if he saw fit to do so, could introduce a bill, have it all understood, have a meeting of his committee, and conduct hearings, and thus deprive any committee of this House of jurisdiction simply by getting it to the committee and having a hearing started.

Mr. NOLAN. Mr. Speaker, the precedents cited by the gentleman from Florida are decisions rendered by previous Speakers of this House on an erroneous reference. Our contention is that there is no such thing here as an erroneous reference of this bill.

Mr. CLARK of Florida. Mr. Speaker, a point of order. The gentleman can not discuss the merits of the question, whether it is erroneous or not. It is not debatable.

Mr. NOLAN. I was calling attention to the fact that the precedents cited by the gentleman refer to an erroneous reference.

The SPEAKER. What does the gentleman say about these authorities that have been cited?

Mr. NOLAN. I will say this about it: If they are allowed to stand in this instance, there is no reason in the world why the Committee on Public Buildings and Grounds can not come in here and take away from the Committee on Military Affairs, or the Committee on Naval Affairs, or from every other appropriating committee of the House, its authority to appropriate for buildings for war purposes, and there is hardly a bill that comes into this House, or that has come into this House since we declared war, that has not contained some appropriation for building purposes in connection with war activities.

Now, this bill gives the Secretary of Labor the right to erect housing facilities, building activities in reference to war industries; and if the gentleman's suggestion is sound, there is not a committee of this House that is safe in the future, so far as making appropriations and provisions for building purposes are concerned. In other words, the Committee on Public Buildings and Grounds becomes supreme over the Committee on Appropriations, over the Committee on Military Affairs, and over the Committee on Naval Affairs, and every other appropriating committee of the House.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. NOLAN. Yes; I yield.

Mr. CANNON. It takes a majority of the House to take the bill from the Committee on Labor and refer it to the Committee on Public Buildings and Grounds. The only question I see is the question whether the motion is in order, the bill not having been reported to the House under the rules.

Mr. NOLAN. In support of the gentleman's motion, and against the point of order, he is citing certain precedents and rulings established by former Speakers of the House. My contention is that if that is good, sound logic, there is not a committee of the House that has the right to appropriate, or the right to authorize appropriations, that is safe during the period of the war, or at any other time, from a motion to rerefer after

hearings have been held; and my point is that the Committee on Labor has given consideration to this measure, it is about ready to report the bill, and would undoubtedly have reported it this morning but for the fact that the Secretary of Labor himself has been out of town and could not get before the committee.

The SPEAKER. The Chair is ready to rule. The House, of course, is the highest parliamentary authority, higher than any Speaker or than all the Speakers, and it takes a majority of this House present to make the transfer and the House has the absolute right to refer any bill to any committee. The authorities cited by the gentleman from Florida [Mr. CLARK] convince the Speaker that the point of order of the gentleman from California [Mr. NOLAN] ought to be overruled.

Mr. SHERLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERLEY. Is it in order to amend the motion of the gentleman from Florida by moving that the bill be referred to the Committee on Appropriations, where under the rules it belongs?

The SPEAKER. Yes.

Mr. SHERLEY. Then I make that motion.

The SPEAKER. The gentleman from Kentucky offers to amend the motion of the gentleman from Florida by referring this bill to the Committee on Appropriations.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. Is the gentleman from Kentucky authorized by the Committee on Appropriations to make that motion?

The SPEAKER. Was the gentleman authorized by his committee?

Mr. SHERLEY. No. I did not make the request in that form, Mr. Speaker. I asked if it was in order, the motion having been made, to amend.

Mr. SAUNDERS of Virginia. I make specifically the point of order, Mr. Speaker, against that, that in order to be qualified to move this amendment he must come within the rule and be vested by the committee with the power to make it, just as much as to make an original motion.

The SPEAKER. The Chair thinks the gentleman from Virginia is right.

Mr. LENROOT. Mr. Speaker, may I be heard?

The SPEAKER. Heard about what?

Mr. LENROOT. About the question that the gentleman from Kentucky has raised.

The SPEAKER. Yes. The Chair will hear the gentleman.

Mr. LENROOT. I would like to call the attention of the Chair to the rule under which this motion is in order at all, and I submit to the Chair that the motion being then in order under the rule, it is within the province of the House to refer this bill to any committee that it sees fit.

The rule says, "Correction in case of error of reference may be made by the House, without debate, in accordance with Rule XI." Now, the House is not confined, if it sees fit to correct a reference, to the committee that makes the motion or asks for the correction. It is open to the House in the case of an erroneous reference to refer the bill to any committee that the House thinks it ought to be referred to under the general rules of the House, and therefore I submit that the amendment of the gentleman from Kentucky is in order.

Mr. SAUNDERS of Virginia. Mr. Speaker, I call attention to the fact that any Member can make this motion only when the proceeding is by unanimous consent. The rule provides that "correction in case of error of reference of a general bill may be made by the House without debate, in accordance with Rule XI, on any day immediately following the reading of the Journal, by unanimous consent, or on motion of a committee claiming jurisdiction." Hence the contention of the gentleman from Wisconsin can not be maintained with respect to the present situation, which is a motion for correction by direction of a committee claiming jurisdiction. No question of unanimous consent is presented.

If some other committee claims jurisdiction of this bill, and desires to assert its claim by an amendment to the pending motion, then the amendment should be offered by direction of, and under authority from, that committee. This amendment is nothing but another claim of jurisdiction, seeking to supersede the claim of the Committee on Public Buildings and Grounds. Of necessity it must stand precisely on the footing of the original motion, and the Member making it, is not in order, unless he speaks by authority and direction of his committee. Otherwise it is not the motion of a committee claiming jurisdiction.

Mr. SHERLEY. Mr. Speaker, I can not concede the proposition just made by the gentleman from Virginia [Mr. SAUNDERS]. It is perfectly manifest that there is a difference between a

situation that arises after a matter gets before the House and what might be the situation when some one is endeavoring to get it before the House. Manifestly I would have no right to move a change of reference as an original proposition, except by instruction of my committee; but when the matter has been moved, why, then, I submit, as the gentleman from Wisconsin says, the motion before the House is subject to any proper amendment.

But I do not want to complicate this situation. The Committee on Appropriations is going to appropriate the money to deal with the situation, irrespective of where these bills go. I withdraw my motion.

The SPEAKER. The question is on the motion of the gentleman from Florida to take this bill away from the Labor Committee and refer it to the Committee on Public Buildings and Grounds.

The question being taken, the Speaker announced that the yeas appeared to have it.

Mr. NOLAN. Division!

The House divided; and there were—yeas 173, noes 53.

Mr. NOLAN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from California asks for the yeas and nays. All those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-eight Members rising, not a sufficient number.

Mr. LONDON. Mr. Speaker, I ask for the other side.

The SPEAKER. The gentleman from New York demands the other side. Those opposed to taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Two hundred Members in the negative. Thirty-eight are not a sufficient number. The yeas and nays are refused, and the motion of the gentleman from Florida is agreed to.

LEAVE TO FILE VIEWS OF MINORITY.

Mr. TINKHAM. Mr. Speaker, I desire unanimous consent to file the views of the minority on H. R. 9248, which is to be considered to-morrow.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to file the views of the minority on the bill he names. Is there objection?

There was no objection.

CALENDAR WEDNESDAY—DEPORTATION OF CERTAIN ALIENS.

The SPEAKER. This is Calendar Wednesday. The unfinished business is the bill (H. R. 5667) to provide for the deportation of certain aliens, and for other purposes, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union, with the gentleman from Missouri [Mr. RUSSELL] in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the further consideration of House bill 5667, to provide for the deportation of certain aliens, and for other purposes.

Mr. BURNETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair will say to the gentleman that there is an amendment pending not disposed of.

Mr. BURNETT. What is the amendment?

Mr. PARKER of New Jersey. My amendment.

The CHAIRMAN. The amendment offered by the gentleman from New Jersey [Mr. PARKER], which was pending when the House adjourned last Wednesday.

Mr. BURNETT. Mr. Chairman, I believe the gentleman from New Jersey had spoken on that amendment.

The CHAIRMAN. All debate on the amendment was exhausted.

Mr. RAKER. I move to strike out the last two words.

Mr. PARKER of New Jersey. I ask unanimous consent that the paragraph in which the amendment occurs may be read, so that the House may see the result of the amendment.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that the paragraph of the bill affected by the amendment be read for the information of the House. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey: Page 1, line 3, after the words "that any alien," strike out the words "eligible by existing law to become a naturalized citizen"; also all of lines 4, 5, 6, 7, 8, and 9; and also the word "said," in line 11, after the words "exemption from"; also, on page 2, line 3, strike out "and shall as soon as practicable be deported"; also strike out all of line 4 and the words "and deportation" in line 11, so that as amended the paragraph will read:

"That any alien who by himself or by anyone else has heretofore claimed, or shall hereafter claim, exemption from selective draft on account of being an alien, shall forever be denied the right of becoming a citizen of the United States or of any of its possessions.

"Any alien who may have been exempted from said selective draft on account of his alienage prior to the passage of this act may, within 60 days after the passage of this act, withdraw such exemption and

submit himself to the operation of said selective draft, and in that event shall not be held to be within the operations of this section as to the forfeiture of citizenship. *Provided*, That the President is hereby authorized to make such rules and regulations as may be necessary to enforce the provisions of this section."

Mr. RAKER. Mr. Chairman, a parliamentary inquiry. Is not this amendment divisible?

The CHAIRMAN. Does the gentleman desire to be heard on the question?

Mr. RAKER. It seems so plain that it ought not to require any presentation, and I simply want the ruling of the Chair that it is divisible.

Mr. PARKER of New Jersey. I desire to speak on that point of order for a moment when the gentleman has yielded the floor.

The CHAIRMAN. Does the gentleman from California yield the floor?

Mr. RAKER. On the point of order; yes.

Mr. PARKER of New Jersey. I claim it is not divisible.

The CHAIRMAN. Does the gentleman from New Jersey desire to be heard?

Mr. PARKER of New Jersey. Only on the point of order. I say it is not divisible. I want to get rid of deportation, which is obviously applicable to only one class of aliens, those who are subject to military duty abroad against the Germans; this will leave only the bar to naturalization which is applicable to all aliens. The matter can not be fairly considered separately, because what I wish to do is to make this bill a complete bill as to barring all these aliens from naturalization. That does not come within any treaty, and if you include all the aliens that are here it does not conflict with the provision in many treaties called the most favored nation clause. We make a simple statement by this provision, that no man who is here who claims exemption from draft because he is a foreigner can hereafter become an American citizen. I have given notice that if my amendment carries I shall move an amendment at the end of the word "possessions" that he shall be barred from hereafter acquiring any interest in lands in the United States.

Mr. RAKER. Mr. Chairman, the very statement which the gentleman from New Jersey makes as to what he desires to accomplish shows that this amendment is divisible. He could move to strike out and insert an amendment to cover what he desires, but unquestionably the Chair will not hold that a man can not move to strike out all through the section a paragraph here, a sentence there, and a word here, and not have the amendment divisible.

Mr. SAUNDERS of Virginia. Mr. Chairman, why is not the motion divisible? The Chair is not concerned with what the gentleman from New Jersey seeks to accomplish, but with the rights of the House under parliamentary law with respect to his motion. He says that he has a certain definite object to be accomplished by his amendment, and if it is held to be divisible so that certain portions may be stricken out by a vote and in the results, are stricken out, then he will not attain that object. But the gentleman's object is not a parliamentary proposition. The parliamentary proposition with which the House is concerned is the right to fashion this bill according to its notion, conformably to parliamentary law. The gentleman has moved to strike out various sentences in a paragraph, embodying respectively different propositions. The House might be willing to strike out some of the sentences to which the gentleman's motion relates, and unwilling to strike out others. Why should the House be denied the right to do this? The House might not be willing to strike out all that the motion proposes to strike out, but might be perfectly willing to go part of the way and strike out some of the language proposed to be eliminated. Upon what principle of parliamentary practice or procedure can it be held that the right to a division of this motion should be denied? Any motion including more than one proposition may be divided, and the several propositions voted on seriatim.

Mr. PARKER of New Jersey. Did the gentleman ever have a motion to strike out that was divisible?

Mr. SAUNDERS of Virginia. I do not recollect that personally I ever had, but that does not affect the parliamentary right of a Member to demand a division. The question is one of parliamentary law, of fundamental principle in parliamentary procedure, not of my personal experience.

Mr. PARKER of New Jersey. The first paragraph is in one sentence, and you could not make any sense of it if you divide up the amendment. It is to strike out certain words in that paragraph, and that motion is not divisible. The motion as to the other paragraph would follow as a matter of course to strike out the words "and deportation," but the first paragraph is one sentence and you can not divide it.

Mr. SAUNDERS of Virginia. Mr. Chairman, when I make a motion to strike out certain words, is it not competent for any Member to move to amend by striking out certain language con-

tained in my motion? This would be an amendment to an amendment, nothing more nor less.

Mr. WALSH. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Yes.

Mr. WALSH. Does the gentleman contend that this motion can be divided so as to permit a separate vote on each word to be stricken out?

Mr. SAUNDERS of Virginia. Oh no, not at all. The principle of divisibility applies only when the amendment, or other matter proposed to be divided for the purpose of voting, contains more than one distinct proposition.

The CHAIRMAN. The Chair is ready to rule. The Chair has looked into this in the limited time that he has had, and he is satisfied that the amendment is divisible. It strikes out language in four different places. One might be agreed to by the House and another defeated and still not interfere with the sense of the section. I see no reason why it should be held to be indivisible when it is to strike out language in four places.

Mr. RAKER. Mr. Chairman, I raise the point of order to the first amendment on the ground that the committee has already passed on that amendment. There was a motion made to strike it out and the House defeated the motion. That is the first amendment offered by the gentleman from New Jersey.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the gentleman's point of order comes too late. If the ruling of the Chair is to be followed, then it comes too late now for the gentleman from California to make the point of order that the original motion of the gentleman from New Jersey is not in order because the amendment has been debated. In last Wednesday's proceedings we debated this question for 15 minutes or half an hour. A point of order was reserved on the paragraph and it was overruled on that occasion. As soon as the Chair rules on the point of order I wish to make a parliamentary inquiry.

Mr. RAKER. Mr. Chairman, I made the point of order and the Chair overruled the point of order, and I came back here to-day with authorities to show that the Chair had misconstrued the law. He now holds that the motion to amend is divisible, and, therefore, my point of order against the amendment must lie. Therefore the first portion of the amendment can not be considered.

The CHAIRMAN. The Chair is ready to rule. The Chair is of opinion that the point of order made by the gentleman from Wisconsin [Mr. STAFFORD] must be sustained. This amendment was debated on Wednesday last, for 15 or 20 minutes, and the point of order of the gentleman from California [Mr. RAKER] comes too late.

Mr. STAFFORD. Mr. Chairman, I desire to submit a parliamentary inquiry. I would like to inquire of the Chair what are the four substantive propositions involved into which this amendment to strike out is divisible?

The CHAIRMAN. The Chair understands that the authorities have held that the grammatical construction and not the legislative intent controls. The first portion of the amendment is on the first page, beginning with the word "eligible," in line 3, and runs to the word "act," in line 9. The Chair understands the motion is to strike out that part of the section. That is the first substantive proposition.

Mr. BURNETT. Mr. Chairman, I move that all debate upon this amendment close in five minutes.

Mr. PARKER of New Jersey. Mr. Chairman, I thought my amendment had already been debated and that debate had been closed upon it.

The CHAIRMAN. Debate has been closed on the amendment. That was done when we adjourned on Wednesday last.

Mr. PARKER of New Jersey. Mr. Chairman, I ask for a vote on the various parts of my amendment.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent to have the amendment again reported.

The CHAIRMAN. If there is no objection, the Clerk will report the first substantive portion of the amendment.

There was no objection, and the Clerk read as follows:

Page 1, line 3, after the word "alien," strike out the words "eligible by existing law to become a natural," and also all of the matter on lines 4, 5, 6, 7, 8, and 9.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. PARKER of New Jersey) there were—ayes 11, noes 38.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next portion of the amendment.

The Clerk read as follows:

Page 1, line 11, strike out the word "said."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the next part of the amendment.

The Clerk read as follows:

Page 2, lines 3 and 4, after the word "possessions," in line 3, strike out the words "and shall as soon as practicable be deported to the country of which he is a subject or citizen."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the remaining portion of the amendment.

The Clerk read as follows:

Page 2, line 11, after the word "citizenship," strike out the words "and deportation."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. PARKER of New Jersey. Mr. Chairman, may I ask the gentleman from Alabama [Mr. BURNETT] if he has any objection to the following amendment being offered: To insert on page 2, line 3, after the words "of its possessions," the words "and shall forever be denied the right of acquiring any interest or estate, legal or equitable, in any lands within the United States or any of its possessions." That strengthens the gentleman's bill, and I would like to offer that amendment if it is agreeable.

Mr. BURNETT. Mr. Chairman, I could not agree to that. I now call for the reading of my amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Page 1, line 3, after the word "alien," insert the words "whose status is such that he may become."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GRAHAM of Illinois. Mr. Chairman, I desire to offer a substitute for that amendment.

Mr. BURNETT. Let the substitute be reported.

The CHAIRMAN. The Clerk will report the amendment in the nature of a substitute offered by the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, before that amendment is read, may we not have the amendment of the gentleman from Alabama again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Alabama.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Strike out in the third line, page 1, the words "that any alien eligible by existing law to become" and insert in lieu thereof the words "that any alien a resident of the United States who under existing law could become eligible to become."

The CHAIRMAN. The question is on agreeing to the substitute.

Mr. BURNETT. Mr. Chairman, does the gentleman from Pennsylvania desire to be heard on his substitute?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. BURNETT. I desire to be heard in reply to the gentleman.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, on Wednesday last I presented for the consideration of my colleagues a criticism upon the use of the words "eligible to become a citizen," and it is in furtherance of those views that I have now offered this substitute for the amendment which the gentleman from Alabama has offered.

My reasons are the same as those which were urged at that time. I do not think that his amendment cures the difficulty. The gentleman has intimated to me that the interpretation of the word "eligible" as explained at that time is correct. "Eligible" means qualified to become citizens, they must have the requisites necessary for citizenship, and he has simply substituted the words "status to become." Now, "status to become" does not change the effect a particle, because the status covers and includes a qualification of eligibility. Mine covered the ground of the objection and in addition inserts the words "and resident." I understand the State Department is very solicitous about people who are here from other countries attending our schools or colleges, and surely we do not want to pass an amendment that would make one who through accident was caught in the country a subject of the draft and inflict upon him the pains

and penalties of the deprivation of becoming a citizen. The language which has been suggested by the substitute makes both points perfectly clear. First, it applies to a resident. It takes away the vicious effect of the language that is now in the bill, for under that language this bill could not apply to anyone until he was eligible to citizenship. The substitute language will protect every interest, and I offer it for the purpose of making the bill more perfect, so that I may be able to vote for it. The language of the amendment offered by the gentleman from Alabama does not cure the evil, and I respectfully call his attention to that fact. I wish to get the exact words, and will ask that the amendment be sent to me. The language of the amendment offered by the gentleman from Alabama is this, "whose status is such that he may become." What? A naturalized citizen. Well, now, is his status when he lands in this country such that he is qualified to be a naturalized citizen? His status means when he can come into court with his petition after having resided here for five years and then get his naturalization papers. The substitute covers this defect, for in it, if you adopt it, you will have provided that the act shall cover any alien, a resident of the United States, who under existing law could become eligible to be naturalized, thus clearing away all the doubt and all the difficulty connected with the question.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. McKENZIE. I am asking for information. Under the gentleman's amendment, of course, the matter of the definition of the word "resident" would be involved.

Mr. GRAHAM of Pennsylvania. Yes.

Mr. McKENZIE. Now, the question I have in mind is this: Suppose a man living in Canada desiring to avoid military service in Canada comes over to the United States, and in most of the States the matter of residence is limited to six months or one year, and so on. Now, suppose he stays five months in one place and moves to another place and stays there six months and then to some other place and stays five or six months, could not that alien absolutely avoid the law we are trying to pass?

Mr. GRAHAM of Pennsylvania. No. He could not, because he would become a resident. Resident will not, in its definition, cover a student who is here or a wayfarer who is sojourning in the country and caught by the exigencies of war conditions. But it would cover a man who comes and resides five months in one place or six months in another place, no matter how he might intend to evade the law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENROOT. Mr. Chairman, I will ask that the gentleman be granted five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. GRAHAM of Pennsylvania. I have no desire to do anything more than to call the attention of my colleagues to the effect of these two amendments.

Mr. BURNETT. Mr. Chairman, the gentleman on last Wednesday—has the gentleman concluded?

Mr. LENROOT. I want to ask the gentleman from Pennsylvania a question.

Mr. GRAHAM of Pennsylvania. If there is no objection, I will be glad to answer any question.

Mr. LENROOT. I am interested in the gentleman's definition or interpretation of the word "resident," and I want to ask the gentleman whether residence is not a matter of intention?

Mr. GRAHAM of Pennsylvania. It may.

Mr. LENROOT. If the word "resident" is included, might not any alien say that it was never his intention to become a resident of the United States and the reason he had not made declaration was because he intended to return to his native land and therefore is he not entirely excluded from the operation of the bill?

Mr. GRAHAM of Pennsylvania. No; the gentleman is in error. Resident is not solely a question of intention. Residence is a question of fact, and if you could prove that a man has taken up his residence here by extraneous evidence he would come under the provisions of this bill.

Mr. LENROOT. Let me ask the gentleman this question: We have clerks employed here in the District of Columbia who may have been here several years. In the legal sense, does the gentleman think that because they may have been domiciled here for years that they are residents of the District of Columbia?

Mr. GRAHAM of Pennsylvania. Residents, yes; but not citizens. And if it were a State they could not become citizens without—

Mr. WALSH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. I desire to inquire if the debate upon this section was not closed by the committee on last Wednesday.

The CHAIRMAN. This is a different amendment.

Mr. WALSH. Was not debate closed upon this section?

The CHAIRMAN. The Chair thinks not, but upon the amendment offered by the gentleman from New Jersey.

Mr. BURNETT. Mr. Chairman, after listening to the discussion of this matter by the very able gentleman from Pennsylvania [Mr. GRAHAM] last Wednesday I was of the opinion there was much force in his suggestion.

I therefore asked the opinion of the Department of Labor, that has to construe these questions as to immigration, and submitted that very phrase of it to them, and the suggestion that I have offered in my amendment is their suggestion, namely, "whose status is such that he may become a citizen by naturalization." The objection, and the only objection I have, to the amendment of the gentleman from Pennsylvania [Mr. GRAHAM] is the use of the word "resident."

Mr. GRAHAM of Pennsylvania. Will the gentleman allow me a suggestion?

Mr. BURNETT. Certainly.

Mr. GRAHAM of Pennsylvania. I am going to ask unanimous consent to strike out the words "resident of the" from the substitute and insert in lieu thereof "domiciled in the United States," accepting the suggestion of the gentleman.

The CHAIRMAN. Does the gentleman ask unanimous consent to make the change in his amendment?

Mr. BURNETT. Mr. Chairman, I have no objection to the unanimous consent, but I desire to oppose it in that form, because even the difference between domicile and residence is very shadowy in construction frequently, and it would be a dangerous thing. And the danger of it is that these fellows that are coming over are the very men we are wanting to send back or to make fight. They are the slackers. The objection I had to the Chamberlain bill as it was passed in the Senate was that if a man had not resided here for a year you could not conscript him.

Now, a part of the purpose of this bill is to get at these very fellows, and the Department of Labor, that will construe these matters of immigration and deportation, have recommended the words "whose status is such that he may become eligible," and it seems to me that it meets the whole trouble. And I am afraid when we inject this question of domicile and residence and draw those shadowy lines of definition that later on in its interpretation many questions will arise that will enable the very men that we are wanting to leave the country or force to fight to escape through that kind of loophole. And for that reason, Mr. Chairman, I object to that amendment and ask a vote on my own amendment.

The CHAIRMAN. Is there objection to the unanimous-consent request of the gentleman from Pennsylvania to modify his amendment? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Chairman—

The CHAIRMAN. The Chair will state that the debate on this amendment is now exhausted.

Mr. RAKER. I move to strike out the last word.

I desire to discuss the question presented by the gentleman from Pennsylvania [Mr. GRAHAM], viz, the meaning of the words "eligible by existing law to become a naturalized citizen of the United States." After hearing his discussion upon that phrase last Thursday, I went to the law library and gave as much investigation as I could to the subject, and the only place I find wherein the question is discussed is in relation to eligibility to office, to be elected to office, or to hold office. Now, there are two lines of decision. One is that a man eligible to office must be qualified at the time he takes the office and assumes the duties thereof. Another line of decision holds that he must be qualified at the time of nomination. The authorities are clear upon the question that a man eligible to become an officer may have a dozen disqualifications before the day he takes the oath of office and qualifies. For instance, in one of the Southern States a man could not be appointed judge if he held a county office. He held the district attorney's office. He filed his resignation as district attorney and in two minutes afterwards was appointed to the office of judge, and the supreme court of the State held that at the time of the taking office he was qualified, although but five minutes before was disqualified, though eligible to become judge, and when he resigned as district attorney he had removed the existing impediment and became fully qualified to hold the office of judge.

Now, I want to call the attention of the committee to this fact.

Mr. GRAHAM of Pennsylvania. Will the gentleman yield?

Mr. RAKER. I yield for a question.

Mr. GRAHAM of Pennsylvania. All the interpretations of the word "eligible" sustain the view I have expressed, do they not?

Mr. RAKER. I think not; in particular as the word is used in this bill.

Mr. GRAHAM of Pennsylvania. Is it not true that the dictionary meaning of the word, as found in the dictionaries, sustains my view?

Mr. RAKER. No; I think not. "Eligible" does not stand alone. It is "eligible to become naturalized," and so forth.

Mr. GRAHAM of Pennsylvania. And is it not true that Bouvier's Law Dictionary gives the same meaning, namely, that when you are eligible to an office you must have all the qualifications that fit you for that office?

Mr. RAKER. Of course you can overcome it at the time you enter into office. But you may have a dozen qualifications, and if you are eligible at the time you are elected or appointed to the office that is what the word "eligible" means, as long as the statute provides as in this case. If it was "any alien eligible for final naturalization," then my friend from Pennsylvania [Mr. GRAHAM] would be correct, and there would be no doubt about it. But the language of this bill is "eligible under existing law to become." Now, a man when he comes to this country may have a dozen disqualifications. He may not have lived here long enough; he may not have been able to read and write—

Mr. MCKENZIE. Will the gentleman yield right there for a question?

Mr. RAKER. I will.

Mr. MCKENZIE. Is it not a fact that these words refer rather to the person or character of the man when he lands on our shores than to the conditions and qualifications thrown about him?

Mr. RAKER. Sure.

Mr. MCKENZIE. The naturalization of the subject. You know and I know, without mentioning it, that there are certain peoples in this world who under our law are not eligible to citizenship.

Mr. RAKER. The gentleman is clearly correct in his statement.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. For a question.

Mr. WALSH. Will not this whole confusion and controversy be avoided by inserting language to make that first line read as follows?—

That any alien who has not become a naturalized citizen.

Mr. RAKER. No. I think not.

Mr. WALSH. Why not?

Mr. RAKER. I want to call the committee's attention to this fact, and there is no need of passing it over. You can not conceive language that will make this plainer if you consider in this connection the statutes in regard to the naturalization, namely, that a man who believes in assassination of public officials, and so forth, can not become eligible at the time he makes his application. A man who has committed a crime and is an alien, and applies for naturalization, can not become eligible for citizenship in the United States.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

Mr. RAKER. I yield to the gentleman for a question.

Mr. GRAHAM of Pennsylvania. Suppose an alien has filed his application to become a citizen and he comes up before the court. Inquiry is made as to whether or not he has been for five years a resident of the United States and for one year a resident of the State in which he makes his application, and it turns out that he has not been either. Will not the court say to him, "Sir, you are not eligible to become a naturalized citizen?"

Mr. RAKER. No. It is just the reverse. If he belong to the class that the law permits to be naturalized, if he has not been convicted of a crime, if he is of the proper age and comes under the other conditions, and comes to this country and lives here five years and has taken out his first papers and made the necessary showing upon his final hearing, the court would grant him his papers. But if he applies and has only been here two years, he is nevertheless eligible to become naturalized when he has lived here three years longer, when he can read and write, and when he is able to show that he is not in favor of assassinating public officials and complies with all the other

conditions. A man can never be eligible to become a naturalized citizen of the United States who believes in sabotage under the laws as they exist here to-day; and, no matter how long he has been here, he is not eligible to become a citizen of the United States if he believes in assassinating public officials. Therefore it means fundamentally the person himself, that has none of the disqualifications, may at some time in the future, when he complies with the law, be admitted to citizenship; and that is all the purpose and object and intent of this statute. I trust the committee will not mix it up by inserting other language that will make it hazy and uncertain, when it is just as plain now as the English language can make it that whenever a man is able to show the things that he can show he is then at that time eligible to become naturalized and become a citizen. But if there are any restrictions against him that he can not overcome, he never can be in a position to become eligible for naturalization and be finally naturalized.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. HAYES. Mr. Chairman, all this learned disquisition is very interesting, but it is not applicable to the present case. The confusion in gentlemen's minds arises from the fact that they do not understand the word "naturalization" as used in the naturalization law. The word "naturalization" does not mean just the granting of the certificate of citizenship by the court. Naturalization begins when a man declares his intention to become a citizen, just as a suit at law in my State, and I presume in the States of you all, does not consist merely in the appearance of the parties before the court and the adjudication of the issues and entry of judgment, but begins with the issuance of the summons. That is the beginning of the suit. So the beginning of naturalization is the declaration of the intention of the alien, and the whole proceeding is laid out in the naturalization law, which provides exactly what that declaration shall state—every step is provided, and it takes it all to make a naturalized citizen of the United States.

Mr. FLOOD. May I ask the gentleman a question?

Mr. HAYES. Yes.

Mr. FLOOD. What would be the objection, in the gentleman's opinion, to striking out, after the word "alien," the words "eligible by existing law to become a naturalized citizen of the United States," and let the section read: "Any alien who is a native or subject of a country that is engaged in war with Germany?"

Mr. HAYES. That includes students and everybody else.

Mr. FLOOD. Will the gentleman answer that question?

Mr. HAYES. I think that would cover more ground than we desire to cover in this case.

Mr. FLOOD. As at present drawn, it takes in students. You can exempt students. This would take in Japanese and Chinese who desire to become members of our Army.

Mr. HAYES. There is now no objection to their joining the Army. This does not prevent them. They do not have to claim their exemption if they do not want to.

The gentleman from Pennsylvania [Mr. GRAHAM] is usually—in fact, is always—very clear in his statements and very clear in his thought, and his confusion arises in this case because he has in mind the naturalization law that existed prior to the law of 1906, when a man had to live in this country for two years before he could declare his intention.

To-day he can declare his intention the minute he puts his foot on the soil of the United States, and then naturalization can begin; and therefore if he is eligible to naturalization at all, the moment he lands on our soil he is eligible to naturalization. When he makes his declaration the process of naturalization begins.

Now, if a man is a Chinaman, no matter how long he stays here, he is not eligible to naturalization, and can not make a declaration of his intention to become a citizen. And all this seeming confusion is caused because gentlemen do not understand what naturalization means. It means the whole process from the declaration of intention to the issuance of the certificate of citizenship.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. WALSH. If the contention of the gentleman from Pennsylvania [Mr. GRAHAM] is correct, before an American-born citizen could become President of the United States it would be necessary for him to be elected to that office?

Mr. HAYES. Rather. [Laughter.]

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. LENROOT. I would like to ask the gentleman this question: If the amendment of the gentleman from Alabama [Mr. BURNETT] were further amended by adding to it the words

"comply with the naturalization laws and thereafter become," so that it would read "any alien whose status is such that he can comply with the naturalization laws and thereafter become a naturalized citizen of the United States," would not that clear it up?

Mr. HAYES. It does not need any clearing up. The words "eligible to naturalization" have a perfectly well understood meaning under the law, and they include the whole process of naturalization, and not merely the signing and delivery to the alien of a certificate of citizenship.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. GORDON. Is a person 24 years old eligible to be elected to the House of Representatives?

Mr. HAYES. Certainly not.

Mr. GORDON. Then I do not know how an alien who has been here less than the statutory time could be eligible to citizenship.

Mr. HAYES. He is eligible to become a naturalized citizen, if he is eligible at all, the moment he lands.

The CHAIRMAN. The time of the gentleman from California has expired. The debate on this substitute is exhausted.

Mr. McKENZIE. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. McKENZIE. Mr. Chairman, as I understand this proposition, these words should not be stricken from the bill, and the bill should stand exactly as it is now drawn. My understanding—and I think it is that of every man who has given this matter any consideration—is that in this war we have as our allies against the German Empire two classes of nations or people. One class are eligible under our law to become citizens of this country. The subjects of two of the other countries who are our allies in this war are not permitted under our law to become citizens of this country. Therefore they should be excluded from the provisions of this law, and the word "eligible" in the bill as it now stands protects those people and makes the law clear. Therefore I hope no amendment to this section will be adopted.

Mr. FLOOD. May I ask the gentleman a question?

Mr. McKENZIE. Yes.

Mr. FLOOD. Why should these people be excluded?

Mr. McKENZIE. As a man who believes in conscription, I do not believe in conscripting a man who has not the right to have something to say about this Government of ours.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURNETT. I ask for a vote.

The question being taken, the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BURNETT].

The amendment was agreed to.

Mr. EMERSON. I have an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. EMERSON: Page 2, line 14, insert a new paragraph as follows—

"That any alien who enlists or is drafted into the military or naval service of the United States and waives his exemptions, serves his time of enlistment, and is honorably discharged, and is at least 21 years of age at the time of his discharge, shall, because of such service, become a citizen of the United States without complying with any of the naturalization laws, and may vote on his discharge papers."

Mr. BURNETT. I make a point of order against that amendment.

Mr. EMERSON. I should like to be heard on the point of order.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard on the point of order?

Mr. BURNETT. I do not. It is not germane, and I want to say to the gentleman that that is the law now.

The CHAIRMAN. The Chair will hear the gentleman from Ohio.

Mr. EMERSON. Mr. Chairman and gentlemen of the House, I want to talk on the point of order. I understand that this bill punishes the alien who refuses to comply with our laws when he is drafted into the military service of the United States. Now, if you can punish a man for refusing to enter the military service of the United States, why can you not reward him when he waives his exemption and enters the military service of the United States? I can not see anything inconsistent about it. We say to the alien, "If you are drafted and you refuse to respond, you have got to leave the country and you can not become a citizen, and you can not do this and many other things."

Now, if we can do that in this bill, why can we not reward him when he does comply? I think we should. If any man ought to be rewarded it is the alien who has come here, who enlists in the service of the United States, or waives his exemption and enters the military or naval service, fights loyally through the war and is honorably discharged. He is entitled to all the advantages of citizenship and should have it.

Mr. GORDON. Will the gentleman yield?

Mr. EMERSON. Yes.

Mr. GORDON. Why is he entitled to a reward? Is it because he is not liable to render military service? Is that why you want to reward him?

Mr. EMERSON. No; I did not say that.

Mr. GORDON. Why do you want to conscript him, if he is not liable?

Mr. EMERSON. I say an alien who is willing to fight for this country, who enlists voluntarily, who waives his exemption, shoulders his musket, and goes to the front and offers his life for this country, is as good as any citizen of this country. I am willing to take that position, and I am a natural-born citizen; my father was, and my ancestors were for hundreds of years; but I am willing to accept the man who will shoulder his musket as an alien and go to the front and fight for this country.

If we are going to punish men for not enlisting we should reward aliens who do enlist or waive their exemptions. I believe the alien should do his part in the winning of this war, but I believe that the alien who volunteers his services or who waives his exemptions when drafted and enters the military or naval service of the United States, serves out his time and is honorably discharged, is entitled to citizenship. An alien who will fight for this country and is willing to die for this country, if need be, is entitled to the honor of being an American citizen. I know of no greater pledge of loyalty we could ask of an alien than to be willing to fight and die for this Republic, in this hour of its greatest crisis, and the alien who is willing to do it should be crowned with citizenship. I would set aside all obstacles for an alien who would do this and admit him into the great brotherhood of American citizens. In my city a great many aliens have enlisted or waived their exemptions. I know of Jews, Italians, Bohemians, and many other nationalities in Cleveland who have enlisted in the military or naval service of the United States, and they deserve great credit for doing it.

The CHAIRMAN. The Chair is ready to rule. The point of order is made against this amendment, and after some investigation by the Chair he finds that the section provides for denying citizenship and for deportation, while this amendment provide for creating citizens and giving them the right to vote, exactly at cross-purposes with the section that it seeks to amend. The Chair thinks the point of order should be sustained. The amendment is out of order.

Mr. McCULLOCH. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McCULLOCH: Page 2, line 11, after the word "deported," insert

"Provided, That the local draft board shall call for service of such aliens liable to military service in the order of their original liability under the selective draft, and all such shall be called in the same order as they would have been called if no claim had been filed for exemption on account of alienage."

Mr. McCULLOCH. Mr. Chairman, thousands of aliens have already been exempted under the selective-draft law who were physically and otherwise qualified because they were aliens. I believe if this bill passes these aliens who have been exempted should be required to serve in the order that they would have been called if they had not filed their original claim for exemption under the alienage provisions of the law. This amendment will accomplish that result. It is somewhat different in its language from the amendment I offered on last Wednesday, and I believe if this amendment is adopted it will accomplish the result I have stated. We should see to it that the intention of Congress is made clear and that aliens are called in the order of their original liability. While the provision in the section giving the President the power to make rules and regulations may take care of the question in regard to their being called, or the order of their being called, yet I believe this amendment will make the intention of Congress clear and that it should be adopted. I have talked the matter over with the chairman of the committee, and I trust that he will see fit to express the views of his committee and himself before this vote is taken.

Mr. BURNETT. Mr. Chairman, the draft law as it now stands confers upon the President and the draft officials the

right to make its rules and regulations. If we get this bill through in time, which I have been trying to do—if it gets in before the next call is made—I think the power is already vested in the Provost Marshal, under the authority of the President, to make this kind of a call. If the call is made, if this bill is passed in time, I hope there will be something of that kind. There is merit in the proposition of the gentleman from Ohio, but if we undertake to prescribe rules and regulations by which it shall be done I think there is danger of getting into confusion.

Mr. McCULLOCH. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. McCULLOCH. Does the gentleman mean to say that he does not expect aliens exempted in the first draft to be called?

Mr. BURNETT. They are in the fifth class now, under the ruling of the boards, where they claim exemption, but that does not divest the boards of the authority to change and put them in the first class. Under the provision "that the President is hereby authorized to make such rules and regulations as may be necessary to enforce the provisions of this section," I think all of that power is included. I think it ought to be left to the Provost Marshal to make the rules and regulations by which that shall be done.

Mr. McCULLOCH. Will the gentleman yield for another question?

Mr. BURNETT. Yes.

Mr. McCULLOCH. Does the gentleman say that the board has the power not to call those who have been exempted who have not been called?

Mr. BURNETT. It is an automatic power. I sympathize with the gentleman's purpose. I voted against conscription, Mr. Chairman, but, as it was passed, I believe it is unfair that our boys and the naturalized boys of this country should have to go off and fight and leave these fellows here to take their positions. The speech of the gentleman from Ohio the other day along the same line was a good one, as that to-day, and, instead of being criticized, as was done by one gentleman, I compliment my friend on the able manner in which he presented his views. [Applause.] Did I not believe that this matter is better provided for in the bill already, I should consent to the amendment which has been submitted by my friend from Ohio.

Mr. McCULLOCH. Will the gentleman yield further?

Mr. BURNETT. Yes.

Mr. McCULLOCH. Will the gentleman say that the bill as it now is will require all aliens to serve, regardless of whether or not they were exempted in the first draft?

Mr. BURNETT. It will require them to waive exemption or be deported.

Mr. McCULLOCH. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. PARKER of New Jersey. Mr. Chairman, I offer the following amendment.

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Washington makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and three Members present, a quorum, and the Clerk will report the amendment offered by the gentleman from New Jersey.

The Clerk read as follows:

Page 2, line 3, after the word "possessions," insert "and shall forever be denied the right of acquiring any interest or estate, legal or equitable, in any lands within the United States or any of its possessions."

Mr. BURNETT. I make a point of order against that.

Mr. PARKER of New Jersey. Will the gentleman reserve his point of order?

Mr. BURNETT. No; I will not. If it has come to a filibuster I want to get this bill through.

Mr. PARKER of New Jersey. I am not delaying the bill. This is not subject to a point of order, it is simply adding another penalty to the one we already have, and I think it is in order.

The CHAIRMAN. The Chair is of the impression that the amendment is in order, but the Chair will hear the gentleman from Alabama.

Mr. BURNETT. Mr. Chairman, there are two reasons why I think it is objectionable and subject to a point of order. In the first place it goes outside of the scope of the bill, which relates simply to naturalization and deportation. Another

thing, it invades the principle of State rights. The States alone can control the question of ownership of land, as many of the States have done. It seems to me that it is out of order in any bill, and is not germane or legitimate for Congress to enact such legislation. Certainly in that view of it it would be out of order.

The CHAIRMAN. On second thought the Chair believes that the amendment is out of order. Here is an authority in the Manual:

One individual proposition may not be amended by another individual proposition, even though the two belong to the same class.

This is adding another penalty to the same class, and the Chair holds it out of order.

Mr. BORLAND. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 1, line 9, after the word "act" insert "and physically qualified therefor."

Mr. BORLAND. Mr. Chairman, I have always believed and still believe that this is not the way in which to get soldiers into the Army, by asking the aliens to enlist or else be deported. It has very much the appearance to me of an attempt to further accentuate the labor shortage in this country by deporting a lot of available labor, a thing which I believe is inimical to the best interests of the country at this time when we are facing a shortage in every branch of industry. This bill says to aliens, "If you do not enlist you will be deported." I realize that gentlemen say that it is going to scare the aliens into the service. They have provided that any man who is liable or subject to the selective draft and does not withdraw his exemption shall be deported.

Mr. WALSH. Will the gentleman yield?

Mr. BORLAND. In a minute. I want to open up my thought first. It says that any man who is subject to the selective-draft law, defining it, who does not withdraw the exemption shall be deported. As a matter of fact thousands of men may be subject to the draft law who would not be accepted if they were examined for service. We are put in the position of deporting possibly thousands of available laborers who never would be accepted for service in the Army, no matter whether they withdrew their exemptions or not.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. It simply accentuates the proposition that we are driving labor out of this country at the instance of some interest that is anxious to cut down the available supply of labor and enhance the price of labor during the present emergency. I yield to the gentleman from Massachusetts.

Mr. WALSH. Mr. Chairman, I desire to ask the gentleman if he contends that a citizen or alien with only one arm or one leg would be subject to the selective-draft law?

Mr. BORLAND. I understand that every man within the qualified ages is subject to the selective-draft law, but whether he be accepted for service depends upon the exemption board. I do not think there is any doubt about that proposition.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. LENROOT. Has the gentleman observed in the bill that the only exemption that the alien is required to withdraw is the exemption that he claims on account of being an alien?

Mr. BORLAND. That is all.

Mr. LENROOT. And that he has every other exemption that a citizen has?

Mr. BORLAND. He would have all the other exemptions under that; but if he does not withdraw the exemption of alienage, the remedy is that he shall be deported, regardless of his other exemptions.

Mr. DOWELL. Mr. Chairman, if he withdraws his exemption, he then stands precisely as an American who has not that same right for exemption?

Mr. BORLAND. Yes; he stands exactly as an American would who had submitted himself to the draft board; but suppose he does not withdraw his exemption. This law, if it operates as it says on its face, will deport him. I realize that the proponents of the law insist that they do not mean what the law says; they do not mean to deport any labor or drive any labor out of the country, or to accentuate the labor shortage on farms or in the mines, but I contend that is a necessary operation of their law, and the direct operation is not to get soldiers. The direct operation of the law is to accentuate the shortage of labor.

Mr. RAKER. The gentleman will concede that if a man withdraws his exemption that he is an alien, and he turns out to have one eye or one arm—

Mr. BORLAND. Oh, I think I have already answered that question.

Mr. RAKER. He would not be subject to be deported.

Mr. BORLAND. If an alien withdraws his exemption and submits himself to the draft board, and is afterwards rejected for other causes, of course he remains here; but suppose he does not withdraw his exemption and submits to being deported, how have we gained anything by losing that amount of labor? I want to ask that question of the gentleman from California. How are we gaining anything by driving laborers out of this country when we need them in every line of industry?

Mr. SABATH. How did the gentleman vote on the immigration law?

Mr. BORLAND. I voted against overriding the President's veto. I voted against any labor shortage. The gentleman and I, I think, were right about that. We ought never to have driven labor out of the country.

Mr. BURNETT. Mr. Chairman, I do not deem it worth while to reply to a speech that is in the interest of letting the alien laborers stay here and having the American laborer sent to fight. Therefore I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Sec. 2. That after the expiration of 60 days from the passage of this act the President of the United States is authorized and empowered, under such rules and regulations as he may prescribe, to draft any alien in the United States to perform such mental or physical labor on the farms, in the manufacturing establishments, or other enterprises in the United States as he may deem necessary or proper: *Provided*, That the President may exempt from the draft authorized by this section such individuals or classes of aliens as he may believe for the best interests of the United States: *Provided further*, That the expenses of carrying out the provisions of this section shall be paid out of the Treasury of the United States.

Mr. BURNETT. Mr. Chairman, I move to strike out section 2.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama, to strike out section 2.

The question was taken, and the motion was agreed to.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent that section 3 be renumbered section 2.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that its consideration be postponed until February 27.

Mr. LENROOT. Mr. Chairman, I make the point of order that that motion is not in order at this time.

Mr. FLOOD. Mr. Chairman, this is a preferential motion.

The CHAIRMAN. The Chair thinks this is a preferential motion. The question is on the motion that the committee do now rise.

Mr. FLOOD. Mr. Chairman, I would like to say a word on this motion, in favor of it.

Mr. WALSH. Mr. Chairman, I make the point of order that the motion is not debatable.

The CHAIRMAN. The Chair thinks it is debatable.

Mr. SLAYDEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SLAYDEN. Is it ever in order for the Committee of the Whole House to instruct the House what to do?

Mr. DENT. This is a mere recommendation.

The CHAIRMAN. It is in order for the committee to rise and make a recommendation to the House.

Mr. DENT. And that is all there is to this motion.

Mr. WHEELER. Mr. Chairman, if this motion prevails, then it is up to the House whether it will consider the recommendation?

The CHAIRMAN. The Chair so understands.

Mr. WALSH. Mr. Chairman, I make the further point of order—

The CHAIRMAN. What is the point of order?

Mr. WALSH. I make the further point of order that this motion has previously been made in the committee and defeated, and it is not in order to renew a motion that has already been acted upon by the committee.

Mr. DENT. In reply to that, Mr. Chairman, it has not been made to-day. The rule provides that it can not be made on the same day. This motion was made last Wednesday, but it has not been made to-day.

Mr. WALSH. Mr. Chairman, in reply to the suggestion I would say that this motion was made upon a Calendar Wednesday, and that this is a continuation of that Calendar Wednesday that was started last week—

Mr. FLOOD. No; it is not. It is two Calendar Wednesdays.

Mr. WALSH. And that it is not a separate Calendar Wednesday.

Mr. FLOOD. The Chair has ruled, as I understand it.

Mr. HARRISON of Mississippi. I was going to cite the Chair to the ruling to which attention has been called, where it says:

And no motion to postpone to a day certain, to recur, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question.

This is not the same day or the same stage of the question.

The CHAIRMAN. The Chair understands that. The Chair understands, too, that a different rule has been applied upon rather a similar question, that is the question of consideration on Calendar Wednesday, and that two motions of that sort may be made to that question. The Chair is of the impression that this point of order should be overruled.

Mr. BURNETT. Mr. Chairman, I make the point of order that no debate is in order on this motion.

Mr. FLOOD. The Chair has ruled on that.

The CHAIRMAN. Decisions under the rule provide that this motion may be debated to a limited extent, but the debate must be confined to the advisability of postponing only. The merits of the bill can not be discussed.

Mr. BURNETT. Mr. Chairman, I move that all debate on this motion now close.

Mr. HARRISON of Mississippi. Mr. Chairman, I make the point of order that the Chair has recognized the gentleman from Virginia.

Mr. BURNETT. No; he has not.

The CHAIRMAN. The gentleman from Virginia has the floor. When he surrenders the floor the Chair will recognize the gentleman from Alabama to make that motion, but the gentleman from Virginia now has the floor.

Mr. FLOOD. Mr. Chairman, I want to argue this motion. I think it should prevail, and in support of it I desire to read a letter addressed this morning by the Secretary of State to the gentleman from Alabama [Mr. BURNETT], which I read with the consent of the gentleman from Alabama:

FEBRUARY 13, 1918.

Hon. JOHN L. BURNETT,
House of Representatives.

MY DEAR MR. BURNETT: Referring to House bill H. R. 5667, providing for refusal of citizenship in the United States or compulsory deportation of subjects of our cobelligerents who do not submit to compulsory military service in this country, I wish to state to you formally what I have said to you orally on previous occasions that the passage of this bill or its consideration at the present time by either House of Congress will interfere seriously with the progress of negotiations looking to the conclusion of conscription conventions with the entente powers. We are on the point of signing such conventions with Great Britain and Canada, and negotiations with Italy and France and other countries are proceeding rapidly. As the proposed conventions will attain by agreement with the powers the object of this bill without violation of treaties now in force and without subjecting their subjects to treatment which they can not but regard as harsh and unbecoming a country aligned with them in the present war, I would regard it as unfortunate if the negotiations were suspended or nullified by the passage of the bill mentioned.

I have, therefore, no other course open to me, as you know, but to ask you as chairman of the committee in charge of the bill to request suspension of consideration of this measure by the House for a short time in order that the outcome of the present negotiations with the entente powers may be determined. As we both have the same object in view, I am sure you will feel disposed to cooperate with me and with the Government in accomplishing it, if possible, in the manner which the President and the Senate have agreed upon as appropriate.

Mr. Chairman, it does seem to me that in the important international situation presented by this letter when the Secretary of State, who is negotiating at this minute treaties with our cobelligerents which cover the purposes of this bill, tells the House that the passage of this bill to-day would interfere with, if not nullify, these negotiations there should not be any hesitancy on the part of the House to vote for this motion. Now, those of us who have talked to the Secretary of State—and the gentleman from Alabama [Mr. BURNETT] is one of them—know how earnestly he feels about this matter and know how the entire State Department feel about it and how the representative of the War Department, who was in conference with us this morning, feels.

What the Secretary of State asked was a delay of two weeks, within which time negotiations could be concluded or put in such process of conclusion that the Members of the House would be satisfied that satisfactory conventions would be arranged with our cobelligerents. What we propose to do here if we pass this bill to-day is to deny the request of an executive department of this Government that is handling this delicate and important question, nullify the power of this department to accomplish the purposes of this bill in an orderly and friendly way, and deny a request for only two weeks' delay. No Member can justify his action in voting against this motion.

Mr. DENT. Will the gentleman yield for a suggestion?

Mr. FLOOD. Yes.

Mr. DENT. May I state to the gentleman from Virginia and to the committee that there is no notion on the part of the

War Department to call the next draft within the next two weeks; that the draft that has been called is simply those men who were in the first draft, and the second draft would certainly not be called for some time hence; and it can not possibly do any harm to postpone.

Mr. FLOOD. Possibly it will not be called before May or June and there will be ample time, if these negotiations fail, for this House to take up this bill two weeks from now and pass it.

Mr. WALSH. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. WALSH. Is not the gentleman aware that under the rules of the House if this postponement prevails we can not consider this matter on Calendar Wednesday two weeks from to-day?

Mr. FLOOD. The suggestion was made to the gentleman from Alabama that unanimous consent be asked for that, and, failing in that, we can get a rule. This House is master of its proceedings, and no rule can make it do wrong when it wishes to do right.

Mr. WALSH. This has nothing to do with the question of postponement. Under the rules of the House, as the gentleman is aware, if postponement prevails, it could not be considered two weeks from to-day.

Mr. FLOOD. There would be no trouble in the world in getting unanimous consent of this House if this reasonable request of the State Department is granted—

Mr. WALSH. That has nothing to do with the question of postponement.

Mr. FLOOD. I said there would be no trouble in getting unanimous consent to take it up two weeks from now.

Mr. HARRISON of Mississippi. That would be the action of the House to postpone it to a day certain for consideration—

Mr. LENROOT. We have no power to do it in committee—

Mr. HARRISON of Mississippi. If the House accepts the action of the committee—

Mr. WALSH. But we can not, as far as the rules of the House apply.

Mr. FLOOD. We can suspend the rules by a two-thirds vote, or we can get a rule. Do not becloud an international question with parliamentary objection.

Mr. WALSH. This is not a motion to suspend the rules.

Mr. FLOOD. There will be no difficulty in getting unanimous consent of this House or a two-thirds vote of this House to take up this proposition two weeks from now, and if there is we can get a rule. This reasonable request of the State Department should be granted.

Mr. McCULLOCH. Will the gentleman yield?

Mr. FLOOD. No; I can not yield.

Here we are asked to pass a bill to-day that the legal advisors of the State Department and the Secretary of State tell us is in violation of the treaties with two of our cobelligerents. We are asked to do it without very much consideration, because this bill is not a well-considered measure. The second section of it has just been stricken out on a motion of its patron, the gentleman from Alabama [Mr. BURNETT], and it was only discussed here a few minutes on last Wednesday. Now, we are asked to violate treaties; we are asked to violate the principles of international law; that great body of laws which have grown up among civilized nations through the centuries, and for the upholding of which we are engaged in this great war; we are asked to violate the usages that have always existed between friendly nations in regard to the conscription of their respective nationals—all that Members may not postpone for two weeks an opportunity to cast a popular vote.

Mr. RUCKER. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. RUCKER. Can the gentleman inform the committee, if it is proper to do so, if the Secretary of State believes that these negotiations will be completed within two weeks?

Mr. FLOOD. The Secretary of State said this—and if I am not correct I will ask the gentlemen who were at the State Department with me to correct me—that the basis of these treaties was the British treaty. The Canadian treaty has absolutely been concluded, and in the British treaty there were a few words they had to adjust, and which they understood from a communication they had last night would be adjusted. The new British ambassador is here, and they are satisfied the British treaty will be concluded in a day or two. That will be the basis of all the treaties. The Secretary of State said he did not anticipate any trouble with Italy; that Italy and France were willing to enter into these conventions. He wanted to conclude this British treaty so as to make it constitute the basis

of the others; and while he did not say that he could get it through in two weeks, he did say that the negotiations had proceeded so far that he thought he could satisfy the gentlemen in that length of time; that they would be successfully concluded.

Mr. BUTLER. I would like to ask a question.

Mr. FLOOD. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Can the gentleman inform us if the purpose of the proposed treaty will be to enable us to draft these men?

Mr. FLOOD. Oh, yes.

Mr. BUTLER. In other words, we will by this treaty obtain permission from the other countries to draft their subjects?

Mr. FLOOD. Their nationals, within the ages of their draft law, and not between the ages of our draft law, will be drafted into our Army by their consent, and there will be no friction between the enemies of Germany. The draft laws of our allies run to 40 and 45 years of age.

Mr. WALSH. Mr. Chairman, a point of order. The Chair has already ruled that the discussion of this motion to postpone is confined to narrow limits, and that it is not in order to discuss treaties and date of the next draft but to oppose this legislation on its merits. It should be confined to postponement.

Mr. FLOOD. I will observe the rule.

The CHAIRMAN. The gentleman from Virginia will confine himself to the narrow limits of postponement.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. MADDEN. If we postpone action on the bill that is pending before the House, and the Secretary of State is able to conclude the negotiations that are now pending between other countries and this country, will these negotiations when completed cover the conditions that are sought to be arrived at through this legislation?

Mr. FLOOD. Oh, absolutely. There is no question in the world about that.

Mr. MADDEN. Then there ought not to be any question about the postponement.

Mr. FLOOD. I do not think so.

Mr. McCULLOCH. The gentleman has confidently said that there will be no trouble about receiving unanimous consent for the consideration of this bill later. Is the gentleman aware that there are many men on this floor who are absolutely opposed to the drafting of aliens?

Mr. FLOOD. I do not think they will object.

Mr. JOHNSON of Washington. Is not the object to give the State Department an opportunity to conclude these treaties without being knocked down by one branch of the Congress?

Mr. FLOOD. The Secretary of State says it will be interfered with in its negotiations. And how can Congress justify itself when an executive department of the Government says to you that the passage of this bill to-day may nullify the negotiations that are being carried on, and which within a few weeks will be concluded, by which these aliens may be drafted into the Army? And you propose to-day to nullify negotiations and pass this law, which, if you do pass, a representative of the War Department stated to us, could not be effective because it was not workable.

Mr. RUCKER. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. RUCKER. In the ordinary course, how long does the gentleman think it would take to decide it?

Mr. FLOOD. The statement is made in this letter here that if either House of Congress passes this bill—

Mr. RUCKER. Would the proponents of this bill gain anything in point of time by passing it to-day?

Mr. FLOOD. I do not think so. I do not believe the Senate would pass it in that time. I hope it would not pass it at all. I believe it would stand by our treaties.

Mr. RUCKER. It seems to me that our duty is very clear.

Mr. FLOOD. I think so, too.

Mr. WALSH. I would like to inquire if these negotiations were commenced before this bill was drafted and had come before the House?

Mr. FLOOD. I am not prepared to answer that, but I suppose so. I know they were begun last fall, whether before this bill—

Mr. NOLAN. Mr. Chairman, a parliamentary inquiry.

Mr. WALSH. It was before this bill was up here?

Mr. FLOOD. Oh, yes.

Mr. NOLAN. Mr. Chairman, is the gentleman from Virginia [Mr. Flood] discussing this motion under the five-minute rule?

The CHAIRMAN. No. The gentleman from Virginia has the floor.

Mr. MOORE of Pennsylvania. Mr. Chairman, if I vote for postponement, will I be voting to sustain the administration or will I be opposing it?

Mr. FLOOD. You will be voting to sustain the administration.

Mr. MOORE of Pennsylvania. Then I will vote to sustain the administration.

Mr. WALSH. Mr. Chairman, I rise to a point of order that this is not in order.

Mr. HEFLIN. Mr. Chairman, I did not get to hear all this letter read. Does the letter state that if either House takes action on this matter now it will embarrass and hamper the administration in the treaty negotiations that are now pending?

Mr. FLOOD. It says it will probably nullify its efforts; it will not only embarrass the administration but nullify its efforts if either House takes action. [Cries of "Vote!" "Vote!"]

Mr. BURNETT and Mr. WALSH rose.

The CHAIRMAN. Does the gentleman from Virginia yield the floor?

Mr. FLOOD. No.

Mr. BURNETT. I want to know how long the gentleman is going to speak. I want to reply to him.

Mr. FLOOD. I was going to answer any questions that might be asked of me.

Now, gentlemen, this is a simple request. This motion does not kill this bill. Postponement is asked—

Mr. FARR. For how long?

Mr. FLOOD. For two weeks, in which we might conclude negotiations begun months ago with our cobelligerents.

Mr. BURNETT. If they do not do it, will the gentleman then withdraw his objection to this bill?

Mr. FLOOD. I will, at the end of two weeks, withdraw my objection.

Mr. BURNETT. If they do not conclude negotiations with whom?

Mr. FLOOD. Here within two weeks, if the gentleman from Alabama desires to bring this bill up again, I do not care with whom they have concluded negotiations and with whom they have not concluded negotiations, I will raise no objection to the consideration of the bill.

Mr. BUTLER. Mr. Chairman, will the gentleman permit a question?

Mr. FLOOD. Yes.

Mr. BUTLER. Will the gentleman agree to it with the Rogers amendment on it?

Mr. FLOOD. Two weeks from now?

Mr. BUTLER. Yes.

Mr. FLOOD. I will not vote for the bill without the Rogers amendment. I will not vote for a bill that violates a treaty, but beyond voting against it I will not oppose the bill.

Mr. BURNETT. How does the gentleman know that this is not putting this bill out of court? What assurance can he give that on this date two weeks hence—our day expires to-day—what assurance can he give to this House that two weeks from to-day the point of order will not be made that we are not in order?

Mr. FLOOD. I see before me gentlemen who are opposed to this bill from every standpoint, some opposed to it on principle. I will say here, facing these gentlemen, that I do not think there will be objection to unanimous consent; and if there is, a rule can be brought in two weeks from now making this bill in order.

Mr. SAUNDERS of Virginia. If we withdraw this bill now and go into the House, consent to a unanimous request can be given. We can try it out in the House.

Mr. BURNETT. Will the gentleman agree to so amend his motion that it will specify that on that day it shall be considered?

Mr. SAUNDERS of Virginia. That would not do any good at all. You could not by any action in the committee give to the committee on Calendar Wednesday any right that the rules say they can not enjoy, but we can try it out in the House.

Mr. FLOOD. We can come back into the Committee of the Whole.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Illinois?

Mr. FLOOD. Yes; I yield to the gentleman from Illinois.

Mr. McKENZIE. Mr. Chairman, I just simply wish to suggest as my thought to the gentleman from Virginia and the chairman of the committee [Mr. BURNETT] that it would be wise, in order to get a settlement of this question and to protect those of us who favor this bill, to move that the committee do now rise and go into the House and make this agreement, and then we will understand that if it is an agreement it will be binding.

Mr. FLOOD. It is practically the same thing.

Mr. McKENZIE. Otherwise an agreement in this committee will have no effect when we get into the House. I suggest that

that be done for the protection of those of us who would like to see this bill enacted into law.

Mr. SAUNDERS of Virginia. There can be no agreement in committee.

Mr. FLOOD. I will make this suggestion: That the gentleman from Alabama [Mr. DENT] withdraw his motion, with the understanding that when we come back into Committee of the Whole his suggestion will be carried out.

Mr. KITCHIN. If they can come to an agreement.

Mr. FLOOD. I suggest that the gentleman from Alabama [Mr. BURNETT] move that the committee rise now.

Mr. WALSH. I will not agree to it.

Mr. FLOOD. I suggest that the gentleman move that the committee rise now, and that we reach an agreement that the matter shall be taken up two weeks from now. Let us make the agreement in the House.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise.

Mr. WALSH. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. I desire to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. Has the motion to postpone been withdrawn?

The CHAIRMAN. It has been proposed to be withdrawn. There has been no objection to its being withdrawn.

Mr. WALSH. I desire to submit a preferential motion.

Mr. DENT. Mr. Chairman, I will ask unanimous consent temporarily to withdraw my motion in view of the motion that my colleague from Alabama [Mr. BURNETT] will make. I ask for that now.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] asks unanimous consent to withdraw his motion. Is there objection?

There was no objection.

The CHAIRMAN. The motion is withdrawn.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. WALSH and Mr. DOWELL demanded a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 91, noes 26.

So the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the Chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 5667) to provide for the deportation of certain aliens, and for other purposes, and had come to no resolution thereon.

Mr. BURNETT. Mr. Speaker, under the statements made a few moments ago it was thought by a majority of the House that this matter should be postponed, without losing its preferential position, for two weeks. I therefore ask unanimous consent that this bill be made a special order for to-day two weeks hence, superseding Calendar Wednesday and all business on that day.

The SPEAKER. The gentleman from Alabama asks unanimous consent that this bill be postponed until two weeks from to-day, and that it be made a special order for that day, to take precedence of the regular Calendar Wednesday business. The Chair will state that if they get through with this bill on that day we will go on with the calendar.

Mr. MADDEN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama a question. Before I ask it I want to state that I have no objection to the consideration of the bill on the date that he sets, or upon any other day when it may be properly reached; but I would like to ask the gentleman from Alabama if he would not be willing to consent to postpone the bill until two weeks from to-day, and then, in case the Secretary of State finds himself unable to complete the negotiations that are now pending, and he is willing to assure the House that one additional week will enable him to complete these negotiations, whether the gentleman would not be willing to postpone it another week?

SEVERAL MEMBERS. No!

Mr. BURNETT. Mr. Speaker, I could not agree to that. The chairman of the Committee on Foreign Affairs is so certain that something will be done at once that he has stated to the House that he will withdraw his objection to the consideration of the bill at that time unless something is done. Now, if there was probably going to be another postponement I would not agree to this one. The gentleman from Virginia [Mr. FLOOD]

stated two weeks ago that there would be no unnecessary delay; that the agreements had been concluded with Great Britain and with Canada, and that they should be concluded with France and Italy within a short time. Yet we find to-day that they have not been concluded with Great Britain and Canada—

Mr. FLOOD. They have been concluded.

Mr. BURNETT. They have not been signed, and I will not agree to anything except to a postponement until Wednesday two weeks.

Mr. MASON. I rise to make a parliamentary inquiry, and beg leave to make a suggestion to the gentleman asking unanimous consent. I think the Chair intimated that if two weeks from to-day the bill is not concluded it will then be indefinitely postponed.

The SPEAKER. No; the gentleman did not understand what the Chair said. The Chair said that if this request of the gentleman from Alabama prevails, and two weeks from to-day we get through with this bill before the adjournment of the House, we will proceed with the regular Calendar Wednesday business.

Mr. DUPRÉ. May I make a suggestion to the gentleman from Alabama that may help to clarify the situation?

Mr. BURNETT. Certainly.

Mr. DUPRÉ. My suggestion is that the gentleman amend his request so as to get unanimous consent that this matter go over until Thursday, February 28, which would be only one day longer, and thereby eliminate the violation of the privileges of Calendar Wednesday. It seems to me that should help the situation.

The SPEAKER. Does the gentleman from Alabama accept that suggestion?

Mr. BURNETT. I do not, Mr. Speaker.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent that this bill be postponed until two weeks from to-day, that it be made the special order for that day, shutting out the business of Calendar Wednesday, as far as it goes.

Mr. WALSH. Reserving the right to object, I should like to ask the gentleman from Alabama [Mr. BURNETT], the chairman of the Committee on Immigration and Naturalization, to state what new reasons were given him, in addition to those given when the motion was made to postpone this before, which impel him to ask now for a postponement.

Mr. FLOOD. Regular order!

Mr. BURNETT. Mr. Speaker, I have very serious doubts about the State Department being any further along two weeks from to-day than they are now, but it seems to me after the receipt of that letter read by the chairman of the Committee on Foreign Affairs [Mr. FLOOD], and the expressions that I get now from the House, to be the opinion of a majority of the House that this last chance ought to be given. They have been promising for six months, it is true. Now, we are giving them a last clear chance; and as to getting through on Wednesday, I think if gentlemen will stay here and vote, we will get through with it, because we will start in fresh and we will have that whole day, and I hope Members will agree to that. I have no pride of authorship in this bill, but I do not want to see the time come, next May or at any other time, when our boys will be called and these fellows sitting back here taking their jobs and refusing to fight with them. [Applause.] If the State Department can accomplish the same purpose, then I have no objection to their doing it, and I would rather they would.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I should like to ask the chairman of the Committee on Immigration and Naturalization if he has received any assurances, personally or directly, from the Secretary of State in addition to the information contained in the letter read by the gentleman from Virginia [Mr. FLOOD]?

Mr. BURNETT. I was at the office of the Secretary of State this morning, and I want to say that no additional assurances were given me except those contained in that letter, as I recollect.

Mr. GOODWIN of Arkansas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOODWIN of Arkansas. What would be the status of the bill if it should not be concluded and passed two weeks from to-day? Would the bill come up for consideration on the following day, Thursday?

The SPEAKER. According to the terms of this request, it would not.

Mr. KINCHELOE. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. I understand that if this goes over for two weeks, and is not concluded on Calendar Wednesday, that will be the end of it. The inquiry which I desire to propound is

this: If the gentleman from Alabama should amend his request for unanimous consent by asking that it go over until Thursday, two weeks, the 28th, and if it is not finished on that day what will be the status of it on the day following?

The SPEAKER. It would be up in the air.

Mr. KINCHELOE. In what way?

The SPEAKER. Because if the bill was not finished on Thursday, unless made a continuing order, then whoever had business on Friday morning would get that business considered.

Mr. KINCHELOE. In order to make it a continuing order would it take a request at that time?

The SPEAKER. Of course it would, or you can make it now if you want to make it a continuing order.

Mr. BURNETT. I modify the request by asking that it be made a continuing order until finished. My request is that it be postponed until two weeks from to-day, and that it then be made the continuing order until disposed of.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent that this bill be postponed until two weeks from to-day—Calendar Wednesday, February 27—and made the special order for that day, to the exclusion of the regular business upon that Wednesday call as far as it goes; that if it is not finished on Wednesday it be the continuing order until disposed of, and that if it is finished on Wednesday, then that the House take up the regular Calendar Wednesday business for the remainder of that day.

Mr. BURNETT. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BURNETT. As I understand, the bill will be taken up at the point where we leave off to-day?

The SPEAKER. Yes. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none. The Clerk will call the committees.

When the Committee on the Library was called,

Mr. SLAYDEN. Mr. Speaker, I call up House joint resolution No. 70, "authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States."

The SPEAKER. The Clerk will report the joint resolution. The Clerk read as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission to the trustees designated in the will of Mrs. Harriet Lane Johnston for the erection of a memorial to James Buchanan, a former President of the United States, on public grounds of the United States in the city of Washington, D. C., in the southern portion of Meridian Hill Park, between Fifteenth, Sixteenth, W, and Euclid Streets NW.: Provided, That the design and location of said memorial and the plan for the treatment of the grounds connected with its site shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of said memorial.

Mr. WALSH. Mr. Speaker, I raise the question of consideration.

The SPEAKER. The gentleman from Massachusetts raises the question of consideration. The question is, Will the House vote to consider the bill?

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 48, noes 42.

Mr. WALSH. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point that no quorum is present, and evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. SLAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SLAYDEN. The vote is on the question of consideration?

The SPEAKER. Yes; those in favor of considering the House joint resolution will, when their names are called, answer "aye," and those opposed will answer "no." The Clerk will call the roll.

The question was taken; and there were—yeas 213, nays 127, not voting 88, as follows:

YEAS—213.

Alexander	Brodbeck	Chandler, Okla.	Dewalt
Aswell	Browning	Clark, Pa.	Dickinson
Ayres	Buchanan	Claypool	Dies
Bacharach	Burnett	Coady	Dill
Bankhead	Butler	Collier	Dixon
Barkley	Byrnes, S. C.	Connally, Tex.	Dominick
Barnhart	Byrns, Tenn.	Connelly, Kans.	Dooling
Benkes	Campbell, Pa.	Costello	Doremus
Bell	Candler, Miss.	Cox	Doughton
Beshlin	Cannon	Crago	Drane
Black	Cantrill	Crisp	Dupré
Blanton	Caraway	Darrow	Eagan
Booher	Carew	Decker	Eagle
Borland	Carlin	Dent	Elston
Brand	Carter, Okla.	Denton	Evans

Farr	Igoe	Morgan	Small
Ferris	Ireland	Morin	Smith, C. B.
Fields	Jacoway	Mudd	Smith, T. F.
Fisher	Johnson, Ky.	Neely	Snook
Flood	Jones, Tex.	Nicholls, S. C.	Steagall
Foster	Jones, Va.	Nolan	Steele
Gallagher	Kehoe	Oldfield	Stephens, Nebr.
Gallivan	Kennedy, R. I.	Oliver, Ala.	Stevenson
Gandy	Kettner	Oliver, N. Y.	Summers
Gard	Key, Ohio	Osborne	Swift
Garland	Kless, Pa.	Overmyer	Tagne
Garner	Kincheloe	Overstreet	Talbott
Garrett, Tenn.	Kitchin	Padgett	Taylor, Ark.
Garrett, Tex.	Knutson	Park	Taylor, Colo.
Glass	Kreider	Parker, N. J.	Thomas
Glynn	Langley	Phelan	Tillman
Goodwin, Ark.	Larsen	Polk	Treadway
Gordon	Lazaro	Porter	Van Dyke
Gould	Lee, Ga.	Pou	Venable
Gregg	Leshner	Quin	Vinson
Griest	Lever	Raker	Walker
Hamill	Linthicum	Rayburn	Walton
Hamilton, Mich.	Littlepage	Reed	Watkins
Hamlin	Lobeck	Robbins	Watson, Va.
Hardy	London	Romjue	Weaver
Harrison, Miss.	Loneragan	Rose	Webb
Harrison, Va.	Lunn	Rouse	Welling
Hayden	McAndrews	Rowe	Welty
Hayes	McClintic	Rowland	Williams
Heaton	McKeown	Rubey	Wilson, La.
Heflin	McKinley	Russell	Wilson, Tex.
Helm	McLaughlin, Pa.	Sears	Wingo
Hensley	McLemore	Sells	Wright
Hicks	Mansfield	Sherwood	Young, Tex.
Hilliard	Martin	Shouse	Zihlman
Holland	Mason	Sims	
Houston	Mays	Sisson	
Hull, Tenn.	Miller, Wash.	Slayden	
Humphreys	Moon	Slomp	

NAYS—127.

Anderson	French	Lufkin	Scott, Mich.
Baer	Fuller, Ill.	Lundeen	Shackelford
Bland	Fuller, Mass.	McArthur	Shallenberger
Bowers	Gillett	McCulloch	Siegel
Browne	Good	McFadden	Sinnott
Burroughs	Graham, Ill.	McKenzie	Sloan
Campbell, Kans.	Graham, Pa.	McLaughlin, Mich.	Smith, Idaho
Cary	Green, Iowa	Madden	Snell
Classon	Greene, Mass.	Mapes	Stafford
Cooper, Ohio	Greene, Vt.	Meeker	Steenerson
Cooper, W. Va.	Hadley	Merritt	Stiness
Cooper, Wis.	Haugen	Mondell	Sweet
Currie, Mich.	Hawley	Moore, Ind.	Switzer
Dale, Vt.	Hersey	Mott	Temple
Dallinger	Huddleston	Nelson	Templeton
Davis	Hull, Iowa	Nichols, Mich.	Thompson
Denison	Husted	Norton	Timberlake
Dillon	Hutchinson	Palge	Tinkham
Doolittle	James	Parker, N. Y.	Towner
Dowell	Johnson, Wash.	Peters	Vestal
Dunn	Juul	Powers	Volstead
Elliott	Kearns	Purrell	Waldow
Ellsworth	Keating	Ramsey	Walsh
Emerson	Kelly, Pa.	Ramsayer	Wason
Esch	Kennedy, Iowa	Rankin	Wheeler
Fairchild, B. L.	Kinkaid	Reavis	White, Me.
Fairfield	Kraus	Roberts	Wilson, Ill.
Fordney	La Follette	Rogers	Wood, Ind.
Foss	Lehlbach	Sanders, Ind.	Woods, Iowa
Francis	Lenroot	Sanford	Woodward
Frear	Little	Schall	Young, N. Dal.
Freeman	Longworth	Scott, Iowa	

NOT VOTING—88.

Almon	Edmonds	LaGuardia	Sanders, La.
Anthony	Estopinal	Lea, Cal.	Sanders, N. Y.
Ashbrook	Fairchild, G. W.	McCormick	Saunders, Va.
Austin	Fess	Magee	Scott, Pa.
Blackmon	Flynn	Maher	Scully
Britten	Focht	Mann	Sherley
Brumbaugh	Godwin, N. C.	Miller, Minn.	Smith, Mich.
Caldwell	Goodall	Montague	Snyder
Capstick	Gray, Ala.	Moore, Pa.	Stedman
Carter, Mass.	Gray, N. J.	Olney	Stephens, Miss.
Chandler, N. Y.	Hamilton, N. Y.	O'Shaunessy	Sterling, Ill.
Church	Haskell	Platt	Sterling, Pa.
Clark, Fla.	Hastings	Price	Strong
Copley	Heintz	Ragsdale	Sullivan
Cramton	Helvering	Rainey	Tilson
Crosser	Hollingsworth	Randall	Vare
Curry, Cal.	Hood	Riordan	Voigt
Dale, N. Y.	Howard	Robinson	Ward
Davidson	Johnson, S. Dak.	Rodenberg	Watson, Pa.
Dempsey	Kahn	Rucker	White, Ohio
Drukker	Kelley, Mich.	Sabath	Winslow
Dyer	Kling		

So the House voted to consider the resolution.

The following pairs were announced:

Until further notice:

Mr. SANDERS of Louisiana with Mr. MAGEE.

Mr. ALMON with Mr. STRONG.

Mr. RIORDAN with Mr. AUSTIN.

Mr. RAGSDALE with Mr. MCCORMICK.

Mr. SCULLY with Mr. HOLLINGSWORTH.

Mr. STEDMAN with Mr. LA GUARDIA.

Mr. WILSON of Louisiana with Mr. GEORGE W. FAIRCHILD.

Mr. FLYNN with Mr. HEINTZ.

Mr. MONTAGUE with Mr. RODENBERG.

Mr. ASHBROOK with Mr. CARTER of Massachusetts.
 Mr. BLACKMON with Mr. CHANDLER of New York.
 Mr. BRUMBAUGH with Mr. DAVIDSON.
 Mr. CALDWELL with Mr. CRAMTON.
 Mr. CHURCH with Mr. DEMPSEY.
 Mr. DALE of New York with Mr. CURRY of California.
 Mr. CLARK of Florida with Mr. DYER.
 Mr. CROSSER with Mr. EDMONDS.
 Mr. ESTOPINAL with Mr. ANTHONY.
 Mr. GODWIN of North Carolina with Mr. FESS.
 Mr. GRAY of Alabama with Mr. BRITTEN.
 Mr. HASTINGS with Mr. FOCHT.
 Mr. HELVERING with Mr. COPLEY.
 Mr. HOOD with Mr. GOODALL.
 Mr. LEA of California with Mr. GRAY of New Jersey.
 Mr. MAHER with Mr. KAHN.
 Mr. OLNEY with Mr. KELLEY of Michigan.
 Mr. O'SHAUNESSY with Mr. MILLER of Minnesota.
 Mr. PRICE with Mr. MOORE of Pennsylvania.
 Mr. HOWARD with Mr. HAMILTON of New York.
 Mr. RAINEY with Mr. KING.
 Mr. RANDALL with Mr. PLATT.
 Mr. ROBINSON with Mr. PRATT.
 Mr. RUCKER with Mr. SANDERS of New York.
 Mr. SABATH with Mr. HASKELL.
 Mr. SAUNDEES of Virginia with Mr. SMITH of Michigan.
 Mr. SHERLEY with Mr. SNYDER.
 Mr. STEPHENS of Mississippi with Mr. STERLING of Illinois.
 Mr. STERLING of Pennsylvania with Mr. TILSON.
 Mr. SULLIVAN with Mr. WARD.
 Mr. WHALEY with Mr. WATSON of Pennsylvania.
 Mr. WHITE of Ohio with Mr. WINSLOW.

The result of the vote was then announced as above recorded.
 A quorum being present, the doors were opened.

The SPEAKER. The House will automatically resolve itself into Committee of the Whole House on the state of the Union.

Mr. STAFFORD. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. I would like to submit that this bill is erroneously on the Union Calendar. It involves no charge whatsoever on the Treasury. It is merely an authorization to confer upon the Chief of Engineers the right to accept a statue that is to be donated by trustees under the will of one Mrs. Harriet Lane Johnson.

The SPEAKER. The point of order is overruled. The gentleman from Kentucky [Mr. JOHNSON] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 70) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission to the trustees designated in the will of Mrs. Harriet Lane Johnston for the erection of a memorial to James Buchanan, a former President of the United States, on public grounds of the United States in the city of Washington, D. C., in the southern portion of Meridian Hill Park, between Fifteenth, Sixteenth, W., and Euclid Streets NW.; *Provided* That the design and location of said memorial and the plan for the treatment of the grounds connected with its site shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of said memorial.

Mr. SLAYDEN. Mr. Chairman, this resolution proposes to permit the erection in the city of Washington of a statue to the memory of James Buchanan, who was the fifteenth President of the United States. For that purpose his niece, Harriet Lane Johnston, provided in her will the sum of \$100,000. Mrs. Johnston was President Buchanan's housekeeper while he was in the White House, and, I am told, made a very gracious lady of the White House and dispensed its hospitalities in a charming way. That sum of \$100,000 has accumulated until now it is about \$130,000 or \$135,000. The Government of the United States is to be at no expense. The design of the monument must be acceptable to the Commission of Fine Arts, and the monument will be located in the city of Washington. Those are the terms of the resolution. I personally think it would be an ungracious thing for us to reject this offer on the part of this lady. I have talked to the members of the Commission of Fine Arts about it, and the designs submitted already indicate a high degree of artistic excellence. I would like to have the House agree to this unanimously as an act of grace. It costs us nothing. Some gentlemen in the House have informed me that they voted against its consideration because they thought it was costing the taxpayers of the country \$100,000, and that

this was not an opportune moment for indulgence in expenditures of that kind. Their reasoning is perfectly sound. If that had been the case, I would have been with them and would have voted against its consideration, but that is not true. It does not cost us a cent.

It is guarded in every possible way to secure a work of art, and I hope that the House will by a practically unanimous vote permit the erection of this statue under the conditions laid down.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. WALSH. The gentleman states that this does not cost the Government a cent. It is true, however, that the Government allots a location on public grounds for the erection of a statue to former President Buchanan, which plot of ground might be occupied by a statue of some more distinguished citizen, some one who had rendered distinguished services to the country.

Mr. SLAYDEN. Mr. Chairman, I am not willing to discuss the politics of the period before 1860 with the gentleman. I think the effort to make politics out of this is an unfortunate thing. I think it would be an ungracious thing to refuse to accept this monument because Mr. Buchanan happened to be a Democratic President in trying times in the history of the country. It does not cost the Government anything, and if it is a work of art it will help to decorate the grounds and make them more pleasant to the eye of the residents and visitors to the Capital.

Mr. WALSH. Mr. Chairman, will the gentleman yield further?

Mr. SLAYDEN. Certainly.

Mr. WALSH. The gentleman speaks of an act of grace. He, I assume, means an act of grace to the heirs or descendants of the former President?

Mr. SLAYDEN. Perhaps I chose my words unfortunately. I think it is due to the memory of the gracious lady who presided over the White House, and I think it is due to the fact that the politics of that period have gone into the past forever, I hope, that at this time when Democrats as well as Republicans are doing their duty in the trenches in this great war, and I dare say there is no question of politics or previous political affiliations considered by the men who command them or by the men themselves. Within the last 10 days more than 25 young men from my district have been aboard a ship of war and in serious peril of their lives, and more than a dozen of them have lost their lives in going abroad to fight the battles of this country. Every one of them was a Democrat, and would you vote to refuse to recognize that service because of the fact that they are Democrats?

Mr. WALSH. Does the gentleman upon that argument and the statement that he is making wish to put this in the class of war measures?

Mr. SLAYDEN. Oh, no.

Mr. WALSH. Will the gentleman, without touching upon the politics of the situation in any way, briefly inform the committee what distinguished service this former President of the United States rendered to his country?

Mr. SLAYDEN. I do not intend to occupy the time of the House by doing any such thing as that, but I shall refer the gentleman to the works of Jeremiah Black, one of the greatest and most eminent lawyers in the country, one of the greatest and most eminent patriots the country has ever had, and I dare say the gentleman will find a vast amount of information in them. I yield the balance of my time to the gentleman from Maryland [Mr. LINTHICUM].

Mr. ROBBINS. Mr. Chairman, before the gentleman does that I desire to ask him a question. I am the head of a commission to build a monument in my district. In taking the matter up and investigating it we were informed that it was an inopportune time to erect structures of that kind, that labor that would be employed in getting out the stone and transporting material ought to be used in war activities, and we were discouraged. I want to ask the gentleman if he has made any investigation to find whether it would be practicable to do this thing at this time? I ask for information.

Mr. SLAYDEN. As a matter of fact, I think it will not be done right now. I doubt if it is ever done during the period of the war. I think it will be delayed if there is any competition found in the labor market. I am sure it will be.

Mr. ROBBINS. I was anxious to know whether the gentleman had investigated in reference to that, because we meet that situation.

Mr. SLAYDEN. I yield to the gentleman from Maryland, whose bill it is.

The CHAIRMAN. How much time?

Mr. SLAYDEN. Whatever time at my disposal he desires.

The CHAIRMAN. The gentleman from Texas has used five minutes. The Chair recognizes the gentleman from Maryland.

Mr. LINTHICUM. For how long?

The CHAIRMAN. Fifty-five minutes.

Mr. LINTHICUM. Mr. Chairman and gentlemen of the committee, there is very little I can add to what the distinguished gentleman from Texas [Mr. SLAYDEN] has said. This is a resolution to provide in the city of Washington a site for the erection of a monument to James Buchanan, a former President of the United States. The money has been provided by the will of Harriet Lane Johnston, his niece, the lady of the White House during his administration, who presided with great distinction and with the love and admiration of all. This money was provided first to erect a stone at the birthplace of Mr. Buchanan in Stony Batter, near Mercersburg, Pa. That has been done out of the income from the money.

There is now in hand sufficient to erect a monument to cost \$100,000, the sum mentioned in her will. It is left to the Fine Arts Commission to select the design of the monument and approve the work. That commission says that they have already inspected the design which is in contemplation and have practically given it their approval. They have not yet settled upon a site, though it is their intention or their idea to place it in Meridian Park, and I understand there is to be a large basin in front of the monument to the memory of some other person. The control of the entire matter is absolutely left in the hands of the Commission of Fine Arts, and nothing can be done without their consent. The money is to come out of the Harriet Lane Johnston estate, and the Government is put to no expense whatever, unless you construe the site as such, as maintained by the gentleman from Massachusetts [Mr. WALSH]. Meridian Hill Park, as we know, will be an ideal location, and if that is selected it will be a splendid place for this monument. There is not much I can say, and if I should attempt to tell this body of distinguished gentlemen of the works of James Buchanan, of what he accomplished, it seems to me it would be like carrying coals to Newcastle.

Mr. Chairman. I appreciate, however, that there is to-day among the public a widely accepted opinion hostile to the memory of President Buchanan. I also appreciate that the task of correcting that opinion is a formidable one, yet I would feel recreant to my duty and to truth itself if I did not now raise my voice in protest against a grave wrong done an honorable gentleman.

The history of the period preceding the Civil War, as it now stands written, is all too highly colored by the passions and prejudices of that period. It is not to be compared with the history of the great conflict itself, for the history of the latter has been made just by a more critical study and by the appreciation of warriors who meet foemen worthy of their steel. Little is said now of James Buchanan prior to his turbulent term in the White House.

Mr. Buchanan had a long and distinguished career from the time he entered the Legislature of Pennsylvania in 1814 to the time of his retirement from the Presidency in 1860.

In 1821 he took his seat in this honorable body, making his first speech in support of President Monroe and of John C. Calhoun, his Secretary of War. For 10 years he labored here during Monroe's second term, the term of John Quincy Adams, and two years of Andrew Jackson's, of whom he was a strong supporter and personal friend. He was sent by President Jackson to Russia in 1833, and at St. Petersburg negotiated a commercial treaty with that great country.

In 1834 he was elected to the United States Senate and served for three terms. He was conspicuous in his support of President Jackson's financial policy, and likewise of Van Buren during his administration. Under Van Buren he declined the Attorney Generalship of the country, and in 1843 was elected for a third term to the United States Senate, his name being mentioned as Democratic candidate for the presidential nomination, at which time he refused.

He became Secretary of State under James K. Polk and decided many important questions; for instance, the establishment of the boundary between Oregon Territory and the British possessions, and the annexation of Texas, which resulted in the Mexican War.

When Mr. Taylor became President Mr. Buchanan retired to private life, but in 1852 he was the unsuccessful candidate for the Democratic nomination. He was appointed minister to England by President Pierce in 1853, and was recalled at his own request in 1855, being nominated for President by the Democratic national convention at Cincinnati, Ohio, June 4, 1856. After a fiercely contested election he was, when 66 years of age,

elected President of the United States by 174 electoral votes as against 114 for John C. Fremont and 8 for Millard Fillmore.

If you behold a man standing on some mountain peak you know he did not light there, but he gained that dizzy height by ability, energy, perseverance, and strength. So it is in public life. If you behold a man President of the greatest Republic which the world has ever known, it is positive proof that he would not have gained that eminence without great ability and the love and confidence of his people. [Applause.]

Few men here to-day, few men in our history have longer stood the acid test of public service than James Buchanan. No weakling made that record; no coward nor incompetent could have kept the public favor for so many years.

Mr. Buchanan represented that element in our Government who fully believed in the sovereign rights of States, and who implicitly believed in the absolute property right in slaves. Let not the present-day moralist look askance at his beliefs. Remember rather that those beliefs were the beliefs of the founders of our Government. Those beliefs came down by birth and breeding to James Buchanan. If Buchanan was wrong in upholding them then the fathers were wrong in originating them. Remember that the doctrine of the sovereign rights of States came to him from the great Jefferson, and that it was Jefferson who wrote the Kentucky resolutions of 1798, which laid down the doctrine: "This Commonwealth is determined, as it doubts not its co-States are, to submit to undelimited and consequently unlimited powers in no man or body of men on earth." Remember as well that the Kentucky resolutions were followed by those of Virginia, drawn by Madison, which put forth a doctrine equally strong as those of Kentucky. Remember also that the Democratic platform of 1856, on which Buchanan was elected, reaffirmed the belief in and loyalty to the Kentucky and Virginia resolutions of 1798 and pledged the faith of its candidate to the upholding of the principle therein laid down. So with Buchanan's belief in the institution of slavery. His belief was based on the organic law of the land. He could look back and see the great founders of this country, many of them surrounded by their slaves. By every tenet he was born to, and by the plighted word of his party he was bound to, uphold the institution of slavery and the sovereign rights of States.

That in brief was the situation confronting President Buchanan in 1860. When the great party conventions met in that year the Democratic Party split on the slavery issue, and that party passed from the position of power it had so long held and became merely a protesting minority. It has well been said that "The wages of discord is defeat." For half a century the Democratic Party paid the penalty for discord, just as its successor in power is now and will continue to pay that penalty. When the Democratic split of 1860 opened the way for the success of the Republican Party, then for the first time was seriously considered the forming of a southern republic, then for the first time was the cry of secession raised with purpose deep to the point of menace. Up to that time no criticism had been made, nor can be made, of the administration of President Buchanan. It is on what he did or failed to do from the national election in November, 1860, to March 4, 1861, that he has been, as I firmly believe, most unjustly and most ungenerously condemned.

The first move of the Southern States was the South Carolina State convention, which on December 20, 1860, passed the ordinance of secession. What was President Buchanan's position and belief on secession? I quote from his last message to Congress in December, 1860:

In order to justify secession as a constitutional remedy it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties. If this be so, the Confederacy is a rope of sand, to be penetrated and dissolved by the first adverse wave of public opinion in any of the States.

In this manner our 33 States may resolve themselves into as many petty, jarring, and hostile republics, each one retiring from the Union without responsibility whenever any sudden excitement might impel them to such a course. By this process a Union might be entirely broken into fragments in a few weeks which cost our forefathers many years of toll, privation, and blood to establish. Such a principle is wholly inconsistent with the history as well as the character of the Federal Constitution. After it was framed with the greatest deliberation and care it was submitted to conventions of the people of the several States for ratification. Its provisions were discussed at length in these bodies composed of the first men of the country. Its opponents contended it conferred powers upon the Federal Government dangerous to the rights of the States, whilst its advocates maintained that under a fair construction of the instrument there was no foundation for such apprehensions. In that mighty struggle between the first intellects of this or any other country it never occurred to any individual, either among its opponents or advocates, to assert or even to intimate that their efforts were all vain labor, because the moment that any State felt herself aggrieved she might secede from the Union. What a crushing argument this would have proved against those who

dreaded that the rights of the States would be endangered by the Constitution. The truth is that it was not until many years after the origin of the Federal Government that such a proposition was first advanced. It was then met and refuted by the conclusive arguments of Gen. Jackson, who in his message of the 16th of January, 1833, transmitting the nullifying ordinance of South Carolina to Congress, employs the following language:

"The right of the people of a single State to absolve themselves at will and without the consent of the other States from their most solemn obligations and hazard the liberty and happiness of the millions composing this Union can not be acknowledged."

It (the Union) was intended to be perpetual and not to be annulled at the pleasure of any one of the contracting parties.

Mr. Chairman, that is not the doctrine of a weak man. No one has ever spoken more clearly his devotion to the Federal Union. But while President Buchanan believed and strongly urged the preservation of the Union he was elected on a platform and pledged to the doctrine that no sovereign State should ever be coerced by force.

By honor he was bound and by belief he was restrained from attempting to coerce South Carolina to recede from her position and to return to the Union. Had he employed force to this end he would have been false to his trust, as he construed it, false to his party, false to the convictions and belief of a lifetime, and he then would have been worthy of censure without stint. President Buchanan sought to preserve the Union without the use of force. That is a true statement, but more clearly proved than this statement. President Lincoln sought to preserve the Union without the use of force. President Lincoln did not take the steps which opened hostilities. He waited, hoping to effect a reconciliation. Buchanan waited for the same high purpose. Buchanan failed in this as also did Lincoln, for war was inevitable. Buchanan's reasons for not using force were threefold.

First. His belief that force should not be used to coerce a sovereign State;

Second. The absolute impossibility of his gaining from Congress the right to use such force; and

Third. His conclusion as to the effect of the use of force on the perpetuity of the Union, which he expressed in these words:

But, if we possessed this power, would it be wise to exercise it under existing circumstances? The object would doubtless be to preserve the Union. War would not only present the most effectual means of destroying it, but would banish all hope of a peaceful reconstruction. Besides, in the fraternal conflict a vast amount of blood and treasure would be expended, rendering future reconciliation between the States impossible. The fact is that our Union rests on public opinion, and can never be cemented by the blood of its citizens shed in civil war.

Does any man here say that was not a reasonable conclusion in the light of those days? Could any man at that time, any sane man, predict that the battle field at Gettysburg could witness the terrible slaughter of Pickett's charge in 1863 and in 1913 see the remnants of that gray army march again up that slope to grasp in brotherly welcome the hands of the boys in blue, their deadly foes of a half century gone? That, sir, is a miracle, and in Buchanan's time was unimagined. Shall we condemn the man for failing to prophesy that miracle? So Buchanan withheld his hand from the task. Just so did Lincoln until he saw the futility of it. Buchanan was at the end of his term, pledged to one course of action. Lincoln was coming in pledged to another course of action. Would any Member of this House seriously contend that an outgoing President is in duty bound to inaugurate the policies of an incoming President? It has never been done and would render the doer ridiculous. Yet had Buchanan even sought to do the things Lincoln was elected to do, yet even then the use of force without provocation against the seceding States could not have been his policy for Lincoln was not elected on any such program or platform.

There is, sir, no basis in reason for censuring President Buchanan. The only basis is in lack of knowledge of events and in bad temper. Buchanan was the end of the old order. It was destined to pass. He was its last exponent. Lincoln was the first of the new order. That came to stay. Buchanan is censured not so much for what he did or failed to do as for the fact that he was the last of his line of Presidents who upheld slavery and State rights.

The culmination of that great question of abolition which had been forming for half a century had been reached. The mooted question of the right of secession was once and for all decided in the negative by the court of last resort and we became an indissoluble Union of indestructible States, and as such are able to meet the task resting upon us to-day in the prosecution of this great war without a jar or disturbance to our machinery of Government. As I have said, Mr. Buchanan served in many capacities. His administration forms a part in the historical evolution of a country from a mere confederacy to a Union of strength and power unequalled in the world's history. It is but right that we should erect a monument to a man who came from the great industrial State of Pennsylvania.

Mr. KREIDER. Will the gentleman yield?

Mr. LINTHICUM. In just a moment. I think we ought at least to honor him in allowing the erection of this monument in the city of Washington when we have placed it under every safeguard in the hands of the Commission of Fine Arts. I now yield to the gentleman.

Mr. KREIDER. Does the gentleman know whether or not there is in the city of Washington at the present time a monument to James Buchanan?

Mr. LINTHICUM. I think not.

Mr. KREIDER. Do you know how many Presidents, from Washington down, have monuments erected in their honor in the city of Washington?

Mr. LINTHICUM. I do not think there are many of them. They are very few. But because we have been wrong in that it does not make this wrong. We ought to have more monuments to the great Presidents of this Republic. I wish we had more monuments to our great Presidents rather than some of these monuments around Washington of people who have never done anything for this country.

Mr. MILLER of Washington. As I understand, there was to be a boulder in front of the monument, dedicated by some other person?

Mr. LINTHICUM. No; I said that in her will Mrs. Johnston provided for the erection of a monument at his birthplace, at Stony Batter, Pa., and my understanding is that it has already been erected at that place, near Mercersburg, Pa., and out of the income derived from the money the executor told me that the monument at his birthplace had been put there in accordance with Mrs. Johnston's instruction.

In conclusion, Mr. Chairman, let me say that Mr. Buchanan entertained the same views as all the South, much of the North, and even some New England parts agreed with his views on secession and nearly attempted it.

He was an honorable gentleman, an able and a faithful public servant. He served his country long and honorably. He but followed the beaten path of his predecessors back even to the great Washington himself, for his beliefs were the beliefs of the founders.

To deny to his memory now this offered tribute is to show a lack of knowledge of events and a spirit small and mean. If republics are ungenerous, let us for once lay aside this fault and be generous to this man who amid the most trying times worked and spoke to save the Union he loved. [Applause.]

Mr. LINTHICUM. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania, Mr. DEWALT.

Mr. LONERGAN. Will the gentleman yield to a question?

Mr. LINTHICUM. I will.

Mr. DOWELL. Mr. Chairman—

Mr. LONERGAN. If the gentleman will pardon me, I was recognized.

Mr. DOWELL. I desire to raise a question of order. The gentleman has no right to yield the time. The floor was yielded to him for the 55 minutes. He has no right under the rule to yield the time.

Mr. DEWALT. Mr. Chairman, I ask unanimous consent to address the committee for five minutes.

Mr. GARRETT of Tennessee. He was yielded the balance of the time by the gentleman from Texas [Mr. SLAYDEN].

Mr. DOWELL. The gentleman was yielded the time, and he has no right to yield it to the chairman any more than anyone else.

Mr. LINTHICUM. I have not yielded the floor yet. I have the right to yield the balance of my time to the gentleman from Texas [Mr. SLAYDEN].

Mr. DOWELL. That is the question I am raising, that he has no right to yield the time.

Mr. LINTHICUM. We need not have any controversy over the matter.

Mr. SLAYDEN. Mr. Chairman—

Mr. DOWELL. The question is, when time is yielded to a Member to occupy the floor, the gentleman who has the time yielded to him has no right under the rule to yield it to some one else. He must either occupy the floor or yield the floor.

The CHAIRMAN. The Chair will say that it has been the prevailing custom here to yield back the time to the chairman of the committee.

Mr. LINTHICUM. Mr. Chairman—

The CHAIRMAN. The gentleman will wait one minute. The Chair is ready to read the rule on the subject.

Mr. DOWELL. Mr. Chairman, the gentleman who had the floor, the chairman of the committee, had one hour. He could have yielded five minutes or any length of time to any Member, and then could have yielded during the hour and reserved the time and kept within the rule, but under the rules of the House he yielded the time to the gentleman who occupied the floor dur-

ing the balance of his hour, and he has no more to yield. The gentleman who occupied the floor has no right under the rule to surrender it to some other Member.

The CHAIRMAN. The Chair will say that the gentleman from Texas [Mr. SLAYDEN], the chairman of the committee, was recognized for one hour, and the Chair so stated. When the gentleman from Texas had used five minutes of that time he yielded to the gentleman from Maryland [Mr. LINTHICUM] such time as he might want. The Chair of his own motion stated that the gentleman from Maryland was recognized for 55 minutes, and so he was, and he could have used the 55 minutes if he had chosen so to do. The Chair holds that the gentleman from Maryland can yield back the remainder of his time to the gentleman from Texas, who is chairman of the committee.

Mr. LONERGAN. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Connecticut?

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. COADY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. RANSDELL, Mr. MARTIN, and Mr. NELSON as the conferees on the part of the Senate.

STATUE OF JAMES BUCHANAN.

The committee resumed its session.

Mr. SLAYDEN. I yield to the gentleman from Pennsylvania [Mr. DEWALT] 10 minutes.

Mr. DEWALT. Mr. Chairman and gentlemen of the committee, I would not for a moment take either the time or attention of this body were it not for the fact that James Buchanan came from the great State of Pennsylvania, in which I have the honor of living. I therefore deem it not only my privilege but, in part, my duty to advocate the passage of this measure, not as a political question but as a matter of honor and grace and dignity to the great State of Pennsylvania.

Why should there be any opposition to this? Why are there 128 votes cast in the negative? Is it because there is a political reason therefor? Has the time come now in this crisis confronting us, when men sitting on the right-hand side of this Hall shall be severed from those on the left by a political question, not dating now but dating back to the days of 1861? Let me say to those gentlemen that James Buchanan, honored son of Pennsylvania, was a Senator of the United States from that great State, that he was ambassador to Russia, ambassador to Great Britain, was the chairman of the Judiciary Committee of this House, and had an enviable and worthy record not only in the Senate but in the House of Representatives as well and in the foreign courts at which he was our minister. Why, then, this cavil? It certainly can not be a question of economy. It costs the Government nothing except the donation of the site. If there were an expenditure here of \$100,000, or, if you please, of \$150,000, I still would say it would be justified, because it would honor the memory of a man who served his country well.

We had a man in the State of Pennsylvania, Hensel by name, who was one of the greatest lawyers in the Commonwealth, a former attorney general of our State, who wrote a history of James Buchanan, and in that he gives this cogent sentence:

I state it from the records and after examination thereof, and my opinion is concurred in by Judge Brown, of the Supreme Court, that if Abraham Lincoln had lived as President under the same circumstances and in the same trying times he would have done before the war what James Buchanan did, and that if James Buchanan had lived and been President when Lincoln was he would have followed the path of the illustrious Abraham Lincoln.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. DEWALT. Certainly, sir.

Mr. COOPER of Wisconsin. Did I understand the gentleman to say that some man whom he characterized as distinguished from the State of Pennsylvania had said that if Abraham Lincoln had lived before the war he would have done what James Buchanan did under the same circumstances?

Mr. DEWALT. No. Evidently the gentleman has mistaken my sentence, because I recognize the fact, if the gentleman did not, that Abraham Lincoln did live quite a long time before the war.

Mr. COOPER of Wisconsin. But they both lived at the time of the Kansas-Nebraska controversy and the controversy over the Lecompton constitution and other controversies of that day. One was for circumscribing of the limits within which slavery could exist in this country and the other took the opposite view.

Mr. DEWALT. I am not discussing the question of the limitation of slavery or the extension of slavery. I am discussing the broad proposition that in the unhappy circumstances that existed at that time Abraham Lincoln was trying to avert the war as much as he could, and James Buchanan was trying to do the same thing. Neither of them wanted to plunge this country into war; and Abraham Lincoln, the man whose birthday we celebrated yesterday, said, "I must save the Union. If I must free all the slaves, I will save the Union by freeing them all. If I must free some of the slaves, I must save the Union by freeing some. If I can save the Union by freeing none of the slaves, I would still save the Union." [Applause.]

That was the record of that statesman on the slavery question. I do not appeal for the passage of this resolution because I am a Democrat. I do not appeal for the passage of it because James Buchanan was a Democrat, but I appeal for it in this light: That great man, Abraham Lincoln, who, in my judgment, was the greatest President the country ever knew [applause], not excepting George Washington, had this immortal sentence, too, in his mouth, "With charity for all, with malice toward none, let us bind up the cruel wounds of this war." [Applause.]

Now, my friends, this is no time, in my humble judgment, to tear open again the wounds of the war of 1860 to 1865. In my humble judgment, gentlemen, as a Representative from Pennsylvania from the State whence this great statesman came, this is the time to make close the bonds of patriotism and to forget that there were Democrats and that there are Democrats, that there were Republicans and that there are Republicans, but to remember once and for all time that there are none but American citizens. [Applause.]

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Yes.

Mr. SWITZER. Do I understand the gentleman to say that if Abraham Lincoln had been President at the time James Buchanan was President, he would have followed the same course and would have done the same things?

Mr. DEWALT. I said, and I repeat it again, that Judge Brown, who is now the chief justice of the Supreme Court of Pennsylvania, who lives in the county of Lancaster, from which President Buchanan came, and that William Uhler Hensel, who was attorney general of the State of Pennsylvania, both gave the history of James Buchanan particular attention, and they assert in printed pamphlets, one of them being a Republican and the other a Democrat, that James Buchanan, in their judgment, pursued the same course that Abraham Lincoln would have taken under the same circumstances.

Mr. SWITZER. Regardless of their judgment, I do not believe it.

Mr. DEWALT. That may be, and your judgment may be more profound than theirs, although one of them is chief justice of the Supreme Court of Pennsylvania. [Applause.] Mr. Chairman, I yield back the balance of my time.

Mr. LONERGAN. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Yes.

Mr. LONERGAN. Will the gentleman please state to the committee what memorial, if any, erected on public land of the city of Washington, was paid for out of private funds?

Mr. DEWALT. My dear sir, I wish I could give you the information. I would if I had it, but I do not have it, or I would give it to you.

Mr. CARY. I may answer as to one. The Polish monument to Kosciusko was paid for by the National Polish Association.

Mr. GILLET. I could mention another—that of Daniel Webster.

Mr. SLAYDEN. Mr. Chairman, I would like to ask the gentleman leading the opposition to this measure to use some of his time now or all of it.

The CHAIRMAN. The Chair will recognize some Member in opposition.

Mr. WALSH. Mr. Chairman, if no other Member desires to oppose this measure, I desire to oppose it and control the time of the opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts for one hour.

Mr. WALSH. I yield 10 minutes to the gentleman from Indiana [Mr. Wood].

The CHAIRMAN. The gentleman from Indiana is recognized for 10 minutes.

Mr. WOOD of Indiana. Mr. Chairman, I think it most unfortunate that this proposal is laid before this House at this

time. As has been suggested by the gentleman from Pennsylvania [Mr. DEWALT], who just preceded me, that this is a time when all citizens of the United States should stand together, and when there should be nothing brought to the floor of this House that will have any tendency to strain that relation.

There is a fitness in all things and a time for all things. This is not a fit place to raise a monument to the memory of James Buchanan. It is not a fit time to suggest that a monument be built in the Capital of the Nation to James Buchanan. I am opposing this measure not because James Buchanan was from the State of Pennsylvania or because he was a Democrat.

I wish that this was a proposition to raise a monument to a really great citizen of the State of Pennsylvania and a great Democrat, and I would gladly support it; I wish that a proposal were had to raise a monument to Edwin M. Stanton [applause], who stood for the things that we desired, and which all Americans now stand for. I am opposing this not because James Buchanan was a Democrat and I am a Republican. But I wish it was a proposal to erect a monument to one of the greatest citizens this country has ever had, and one of the best Presidents it ever had, and when the future history is written of the greatness of Presidents he will stand high among them—Grover Cleveland.

The question has been asked, "What did James Buchanan do as President of the United States that warrants this distinguished honor?" I ask gentlemen who stand sponsor for this measure to answer that question. Were that question propounded with reference to Grover Cleveland, there are two things that he did, if no others, that would warrant the building of a monument to his memory as high as the Washington Monument now stands, for the service he rendered was most signal. He stood between law and order and disloyalty and disorder when he said to one governor in the United States, "You shall not longer conduct dishonorably the affairs of your State and interfere with the business of the Nation," and he sent the Army to Chicago to show a man who was trying to tear down this Government that the Nation was bigger than any State and that law should be preserved there.

Again he stood like a stone wall against those who would disgrace the Nation and reduce its finances to a scandal and a shame, and in favor of sound money that would save the country from dishonor.

So there is no politics actuating those who see fit to oppose this proposition. But, as I say, before any man's monument is placed in the city of Washington there should be a condition precedent that he should have rendered some signal service that would warrant the building of that monument. Any time before the disgraceful conduct of Benedict Arnold at West Point had the War of the Revolution closed, the name of Benedict Arnold would have stood high upon the record of fame for having done most signal service for the Colonies. He destroyed it all in a single moment. If James Buchanan had never been President of the United States, and if, by reason of the record that he made as minister to England and as minister to France, or the signal service that he rendered in the State Department as Secretary of State, a monument had been erected to him, then it might have been justified. But when this country was in its peril, when there were those without and within trying to undermine it and destroy it, what signal service did he then render? Again we ask the proponents of the measure to answer.

But it has been said that Abraham Lincoln would have preserved slavery if necessary in order to preserve the Union. That is true, so great was his love for the Union; but back of it all there was in the heart of Abraham Lincoln the lesson inculcated there when he went down the Mississippi River and saw a slave girl being sold from the auction block. He afterwards declared that he then took an oath before God that if he ever had the power he would strike that institution, and strike it damned hard. The time came, and he did strike it hard; he killed it. When Abraham Lincoln became President of the United States, if the continuance of slavery had been essential to the preservation of the Union he would have agreed to the continuance of slavery; but never at any time did Abraham Lincoln, for the purpose of averting that war, permit the arsenals of this country to be seized by the enemy, nor did he permit the vessels that we owned to be taken into far-away ports so that they could render no service whatever.

I say to you that it is most unfortunate that we are asked now to build this monument in these times of peril, when we are appealing to the youth of this country, when we are appealing to the young men of this country that they shall give their all upon the altar of their country if need be for the preservation of this great Government of ours and the world's democracy. This is the time, if you please, when we should point to monuments of men who by reason of their heroism have

earned a place in fame or who are entitled to some recognition of this character. Every time we go up and down the avenue and look at the statue of that superb general of the War of the Rebellion, Gen. Hancock, a great Democrat, there is an inspiration in the breast of every young man, an inspiration, if you please, to dare and do for this country of ours. Had there been anything in the conduct of James Buchanan, had he shown any spine at the time when I say it did take courage for men to act, then might there be some reason for coming before us at this time with this project. But when he was called upon to exercise manhood, when it took courage, when it took great decision of purpose, and when it took daring, if you please, James Buchanan was found woefully wanting in the balance. So, I say it is an unfitting time. If this were a proposition to raise this monument to the memory of the woman who graciously discharged her duties as mistress of the White House during the four years that Mr. Buchanan was President of the United States, I would gladly support it, for it would be a gracious tribute to a noble woman and a tribute, if you please, to the gracious womanhood of the United States. [Applause.] But that is not the proposition. It is not to do honor to a man to whom honor is due. It is to do honor to a man who degraded and disgraced his place in the time of peril and in the time of his country's great stress. [Applause.] So, in the name of all those who stood for the Union when he was permitting it to be rent asunder and in the name of the soldiers living and dead who fought to preserve that Union, I protest against this measure.

Mr. WALSH. I yield 15 minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, I did not intend to speak upon this bill at all. I did intend to content myself with voting against it, upon the general proposition that I do not believe that Congress should ever give permission to anyone, even at their own expense, to erect a monument in the city of Washington unless the subject of that monument was a person who had rendered distinguished service to his country. But, in view of the statements that have been made as to the motives of those who will vote against this bill, I do believe that something ought to be said, and I do resent the insinuation made by the gentleman from Texas [Mr. SLAYDEN] that men who vote against this bill will vote against it because Mr. Buchanan was a Democrat. The gentleman ought to know better than that. He ought to know there is no Republican upon this side of the aisle who is not willing to honor any man deserving of honor, and to grant the same consideration to any man who has rendered distinguished service to the country, whether he be Democrat or whether he be Republican; and it is a slander of the Republican side to make any such intimation as the gentleman has made. Then he says, Why bring up these old issues? Well, I ought to ask in return, Why bring them up? Why have you brought this bill before this House? When a bill is brought before this House proposing to erect a statue to any man, have we not the right to ask what distinguished service that man has rendered that warrants the erection of a statue to him? You proponents of the bill have no right to answer that question by saying, "Oh, you must not ask that question, because he was a Democrat." We may honor Robert E. Lee for the splendid patriotism that he exercised from his standpoint when he, with his State, seceded from the Union. We may honor other distinguished men of the South who did likewise; but I want to say to you that it is a different proposition when you ask us to honor a man who came very near being a traitor to his country while in the presidential chair. [Applause.] Inasmuch as the proponents of this bill have chosen to place its consideration upon the ground that they have, it ought to be discussed upon its merits.

Mr. LINTHICUM. I want to say to the gentleman that this is my bill, and I placed it upon no such grounds. I think there are many Republicans here who are just as much interested in its passage as I am.

Mr. LENROOT. I am very glad to hear the gentleman say that; and yet, if I am not mistaken, the gentleman himself referred—

Mr. LINTHICUM. I beg the gentleman's pardon. I made no such statement.

Mr. LENROOT. The gentleman from Pennsylvania and the gentleman from Texas then did. Now, what were the distinguished services that Mr. Buchanan rendered for which he is entitled to a monument in the city of Washington. The gentleman from Pennsylvania [Mr. DEWALT], if I understood him correctly, stated that in his judgment if Lincoln had been President preceding the war, at the time Mr. Buchanan was President, the action of Mr. Lincoln would have been similar to that of Mr. Buchanan.

Mr. REAVIS. Will the gentleman from Wisconsin yield? I think the gentleman from Pennsylvania made that statement on the authority of some one else.

Mr. LENROOT. In making the statement I think he wished us to understand that that was his view of it.

Mr. REAVIS. I do not think that he made the statement in that way.

Mr. LENROOT. Well, I accept that correction.

Mr. GOODWIN of Arkansas. I do not think the gentleman from Pennsylvania made that statement for himself, but merely quoted the authority of a chief justice of his State, an eminent lawyer, who knew Mr. Buchanan.

Mr. LENROOT. That may be. Now, Mr. Chairman, I hold in my hand a copy of the International Encyclopedia, and in the article on James Buchanan, it is doubtless fair to him, and indeed anyone who reads the article would conclude that it is apologetic and defends him in so far as he can be defended, and I want to read one paragraph:

In the Executive chair he was apparently subservient to southern politicians and allowed their threats of secession to influence his actions. After Lincoln's election Buchanan was more than ever anxious to stifle the slavery discussion, and in his last message to Congress pointedly charged the North with having brought about the existing crisis in national affairs by a discussion which had "produced its malign influence on the slaves and inspired them with a vague idea of freedom." While holding that the States had no right to secede, he added that the Nation had no power to prevent it; he said it could not employ force, except upon the demand of the lawful authorities of the State, and in South Carolina no such authority then existed.

Let me ask if Mr. Buchanan had continued to be President during the years that Abraham Lincoln served, would he have had one Union to-day?

Mr. LINTHICUM. May I ask the gentleman a question?

Mr. LENROOT. Yes.

Mr. LINTHICUM. I do not want to inject any politics into this.

Mr. LENROOT. There is no politics.

Mr. LINTHICUM. In the gentleman's opinion, what would Lincoln have done if he had been in Buchanan's position at that time? He would not have been in control of Congress, he could not declare war; what would he have done?

Mr. LENROOT. If Mr. Lincoln had been President of the United States during the time that Buchanan was President—

Mr. LINTHICUM. No; I am speaking about the last few months when the great controversy came up.

Mr. LENROOT. If the gentleman wants to know, if you read the history of the crisis that was brought on, it was largely because of the position that Mr. Buchanan took that this Nation had no right to prevent the Southern States from seceding by the use of force. What stronger argument could there have been, what stronger invitation could have been extended to the Southern States to secede than the position taken by Mr. Buchanan?

While we all have forgotten these issues that were then raised, while to-day there is no North and no South and there will not be in the future, you who like myself want to have these old issues forgotten ought not to pass this bill to erect a statue in Meridian Park recalling the almost treacherous conduct of a President of the United States during these times, a President that perhaps did more than any other single influence to bring about that civil war because of the position he took which cost hundreds of thousands of lives on both sides. The best thing we can do for the memory of James Buchanan is for the American people, North and South, to forget him as soon as possible. [Applause.]

Mr. SLAYDEN. Mr. Chairman, I would like to have the gentleman from Massachusetts use some of his time, for I understand that some gentlemen on that side of the House have an engagement—

Mr. STAFFORD. Let me say that some gentlemen on this side have an appointment at the White House at 5.30, a delegation numbering 15 will be obliged to leave at 5 o'clock in order to keep the appointment. I was wondering whether we could not rise at that hour if we had not completed the bill.

Mr. LONGWORTH. The statement of the gentleman from Wisconsin excites my curiosity somewhat. Will he be more specific? [Laughter.]

Mr. STAFFORD. They occupy a different attitude than does the gentleman from Ohio, they are grangers.

Mr. NEELY. Mr. Chairman, I would like to make a suggestion that the gentleman from Wisconsin undertake to go on the gentleman from Ohio's bond for good behavior at the White House.

Mr. STAFFORD. Permit me to say that I am not honored by being invited or having business at the White House.

Mr. WALSH. Mr. Chairman, I am not fortunate enough to have spent hours and weeks delving in musty volumes for

the purpose of glorifying the great Commonwealth of Pennsylvania nor for the purpose of doing a gracious act to a former mistress of the White House. And I can not speak with the authority and learning of the distinguished and, no doubt, wise judge of Pennsylvania, who is quoted here by the gentleman from Pennsylvania [Mr. DEWALT] as an authority in the House of Representatives upon the day following that which we set apart to do honor and reverence to the memory of our martyred President, the great Lincoln.

And so I lack the authority from having read deeply or delved wisely into written lore. But, sir, no matter who the man may be or what the authority is, to hold out here to us, representing the people of this Union, the idea that the great Lincoln, had he been President during the time that James Buchanan was President, would have followed a similar course borders on blasphemy. And apart from which side of Mason and Dixon's line we may come, we have a right to resent the expression of such sentiments. It has been said that this former President, as a Senator and Member of the Congress, as one of our ambassadors to foreign nations, rendered signal service to his country. I grant that that may be true, but this statue is to be erected to the memory of the President Buchanan, and who is there that will claim that he rendered distinguished service to the United States of America when he held that high office?

I recall having read somewhere that during his public career—and I believe while he was a Member of the coordinate branch of this Government, the great Senate of the United States—he gave expression to the view that 10 cents per day was sufficient for a laboring man. Yet here, in the midst of the world's greatest conflict, we are asked to stop in our deliberations, to pause in our legislation pertaining to this war, to give way for these few hours when more important measures are pending, in order that by our action we may authorize the setting apart of a tract of the public domain a most conspicuous site in the city of Washington to do a gracious act to a former mistress of the White House and to honor the great Commonwealth of Pennsylvania, but beyond and above all that to glorify one who for a term occupied the great office of President of these United States and whose career in that high office is dimmed and dulled by the patriotic courage and devotion displayed by his successor, the great emancipator, Lincoln.

Mr. Chairman, I desire to read a few words that were written upon another matter in December, 1859, during the term of this honorable public servant. In the play of Julius Caesar I believe it is Anthony who says that Brutus was an honorable man, and so in the same way we might say that Mr. Buchanan as President rendered distinguished services. You will recall the John Brown incident. I wish to read to you words written in 1859, which are truly prophetic, written by one who is still in public life, and although he is of a different party than that to which I belong, I trust he may continue to remain in public life and render distinguished and honorable service in every sense of the word to the Government and people of the United States. The expression of views was contained in a communication reading as follows:

To-morrow John Brown dies upon the gallows, the death of a traitor. Not a traitor to his country, his God, or liberty, but a traitor to a local regulation, recognized in this country as law. He dies, in a land where murderers go unhung, without even a murderer's sympathy. He dies a martyr to his heart convictions of right embedded by bitter experiences and made strong by the same power which hurries him into eternity. He dies; yet there will come a time in the future history of this country when the simple name of John Brown will receive more reverence from the Americans than that of Senator Douglas or President Buchanan or Gov. Wise. The one executed for the highest crime known to the law, the others favored recipients of the highest offices within the gift of a free people—the one the embodiment of nobility and guided by enthusiasm, the others traitors to the revolutionary idea of liberty, fawning sycophants, and timeservers. The only crime proved against John Brown was that of inducing slaves to leave their masters. He did not invade Virginia for rapine and murder, but to strike the shackles from the bondman and let the oppressed go free. Yet Virginia, noble, chivalric Virginia, thirsteth for his blood. The governor of this great State, a would-be President of this Republic, thirsteth for his blood.

It will be noted that reference is made in this communication to this man who rendered such signal and distinguished services as President of the United States. Mr. Chairman, those are words written to the Williams County Gazette, December 1, 1859, when but a youth of 24 years, by our gallant colleague, whose patriotism was shown on many a battle field during the great struggle, the distinguished, in every true sense of the word, gentleman from Ohio, Gen. SHERWOOD. [Applause.]

And I submit here that he was a true prophet, and that it ill becomes us in these serious times to take any action here whereby we shall put the seal of approval upon the official acts of that President, or whereby we shall elevate him to the same plane as that occupied by the immortal Lincoln, and to give

occasion to a revival of discussion of the course pursued by Buchanan and his unfortunate utterances and indecision. And yet they cry "politics"! I say, Mr. Chairman, that this question is broader than a political question. It is sought to dignify and glorify him whose course was such as to deserve then, and as time goes on to still deserve only the censure of silence. Oh, you may say that there is a great bequest pending here, and that unless some action is taken before the 1st of March that bequest will lapse. If that be so, then I say it is better for the Nation to get the benefit of the inheritance tax upon that bequest rather than that we should authorize the setting apart of this tract of land for the erection of this statue, and immortalize not only the individual as President but attempt to cloak with respectability and approbation his official career and what he stood for. Let there be no misunderstanding, let there be no chance for future historians and eminent judges from Pennsylvania, seeking to glorify a statesman or a near statesman, who may have happened to be born within the boundaries of that State—let there be no opportunity for them to say that the American Congress in order to be gracious and courtly to a former mistress of the White House, during the midst of the world's greatest war, in spite of the facts written indelibly in the pages of history during his term of service as a President of this Union, was lax in its efforts to further the great struggle in which we are engaged, and that we put the stamp of disapproval upon impartial historians and political writers; that we put our judgment above and beyond that of the judgment of the men who lived in those times; and that we say that the gentleman from Ohio, Gen. SHERWOOD, did not know of what he wrote, and that he proved to be a false prophet.

I contend, sir, we are warranted in concluding from the facts, the cruel, cold facts of history, that President Buchanan during his term of office skated near the edge of treason and indisputably he was a timeserver. And I ask, sir, that when this measure comes up for final action that this House will not stultify itself by authorizing the erection of this statue in this most conspicuous place at this time. [Applause.]

Mr. Chairman, I reserve the remainder of my time.

Mr. SLAYDEN. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 35 minutes remaining.

Mr. SLAYDEN. How much has the gentleman from Massachusetts?

The CHAIRMAN. Twenty-eight minutes.

Mr. SLAYDEN. May I ask the gentleman from Massachusetts how many more speeches does he expect to have on his side?

Mr. WALSH. I expect one.

Mr. SLAYDEN. Only one more?

Mr. WALSH. Yes.

Mr. SLAYDEN. Well, Mr. Chairman, we have two more speeches. The gentleman from Pennsylvania [Mr. STEELE] wants a few minutes, and then I will let the gentleman from Massachusetts consume the balance of his time, and I have another colleague in the House who wants to speak on this subject; so now, if it is agreeable, I will yield 10 minutes to the gentleman from Pennsylvania [Mr. STEELE]. [Applause.]

Mr. STEELE. Mr. Chairman, I had not intended to take any part in this discussion, but several matters have arisen concerning the fair fame of one of Pennsylvania's distinguished citizens, and I feel it my duty to say something in defense of his memory. I am one of those who have no personal recollection whatever of the Civil War. I have none of the prejudices growing out of the Civil War. Two of my immediate relatives were officers in the Battle of Gettysburg. They were all what were then known as Douglas Democrats, and upon the slavery question in Pennsylvania sentiment was practically unanimous in opposition to slavery, so I think I can approach this question without any partisan feeling or prejudice or bias growing out of that era in the history of our country. James Buchanan was not the kind of man that he is attempted to be painted on the floor to-day. James Buchanan was a man of sterling character, of high moral principles, and he conscientiously served his country in all the positions he served at that time. He was born in Pennsylvania and descended from the old Scotch Presbyterian stock. He soon fought his way to the front as one of the prominent members of that distinguished bar. He served in the Pennsylvania Legislature for a number of years, and was soon elected a Member of the House of Representatives of the United States. As a Member of this body he soon distinguished himself and after a time became chairman of the Judiciary Committee of this House and served in that position for a considerable time. As a member of the Judiciary Committee of this House he rendered distinguished service to this House and to the country upon the memorable contest to strike out the cele-

brated twenty-fifth section of the judiciary act and fought that out to a conclusion.

Afterwards he became the representative of Pennsylvania in the United States Senate, and served there for a great length of time. He was then appointed minister abroad, was minister to the Court of St. James, was appointed minister to Russia, and afterwards became Secretary of State under President Polk. In all these positions no question was ever raised as to his ability, no question was ever raised as to his loyalty to the country, and it was only when the trying times came preceding the Civil War that, owing to the passions of that period, he was charged with many things by persons for which there was no real foundation. It had been a growing question for many years, from 1820 down to the outbreak of the rebellion. Was it a crime for Webster and Clay to vote for the compromise in 1850? Nobody has ever charged them with that, and one of them is honored with a monument here to-day in Washington, although he voted for the compromise at that time. You remember the tirade of abuse that arose at that time against Daniel Webster because he voted for the compromise. That same tirade of abuse followed when anyone took that position upon the slavery question about the time of the Civil War, and it is well known that early in the history of James Buchanan he personally asserted in a public speech that he delivered in the city of Lancaster his opposition to slavery. That was his personal principle, and he adhered to that as a political principle down to the time of his death.

Now, James Buchanan was a man of a kindly and peaceful disposition, not possessed of the strong character of Andrew Jackson in the Calhoun controversy or fitted to act in the severe way that a partisan agitator would act. His disposition naturally was to compromise differences and save the country from a period of bloodshed. Was it wrong for him to attempt to do that? In 1898 when the differences arose between ourselves and Spain did not President McKinley assume precisely the same attitude when he opposed the declaration of war as long as he could, and only when the sentiment was overwhelming on that subject accede to it? Was it disloyal at that time for Thomas B. Reed, the celebrated Speaker of this House, to oppose the declaration of war that was then made? I do not think anyone would accuse him of that. So when it comes down to the discussion of Mr. Buchanan whatever differences of opinion may arise as to the course he took at that time there is one thing that all unprejudiced historians who have examined into that question will agree upon at this time, and that is that his loyalty was beyond question. [Applause.]

Now, what objection, therefore, can be made to the erection of this monument at this time? Charges have been made here that would make it look as if Mr. Buchanan had been guilty of some act of disloyalty and of treason to the country. That, it seems to me, is the narrowest kind of partisan objection, and one which there is no real foundation in history to support. I maintain that whatever differences of opinion may exist as to the action of Mr. Buchanan, as to whether he ought to have taken this course or that course, there could be no question that he was entirely loyal to the Union and to the Government at that period of time. And, if that be true—and I do not think it can be questioned as a matter of history—then the objection that this money ought to be used in some other way at this time, or that the ground upon which the monument is proposed to be erected could be used for some other purpose, falls to the ground as the merest captious objection.

The monument does not cost this Government a single dollar. It is paid for entirely out of the estate of his niece, Harriet Lane Johnston, and while Members object to the erection of a monument to Mr. Buchanan and seem to be willing to erect one to the then mistress of the White House, I do not see how the two can be separated at all. For myself, it seems to me that it ought to be an act of grace on the part of this House, and we should be sufficiently broad minded, seeing that this is not going to cost the Government a penny, to do the proper thing under the circumstances.

Mr. GOOD. Will the gentleman yield?

Mr. STEELE. Yes, sir.

Mr. GOOD. Aside from the charges that have been made of the political consideration, the gentleman from Wisconsin [Mr. LENROOT] made one observation that seemed to me ought to have some weight with the House, and that is this, namely: Can we afford to permit persons to erect monuments in the city of Washington on public grounds to be paid for by private persons at all; and if we do follow that principle, is it not likely to happen that the person whose relatives have the most money will have the most magnificent monuments to their memory, irrespective of what service they might have rendered.

Mr. STEELE. As a matter of principle, as long as Congress retains control over the matter, I can see no objection to it.

Mr. FERRIS. Does the gentleman from Iowa think it very hard to distinguish between the ex-Presidents of the United States and ordinary citizens who might have money with which to build monuments?

Mr. GOOD. It had not been brought to my mind until the gentleman from Wisconsin [Mr. LENROOT] referred to that fact, but it did seem to me that the practice of permitting wealthy people to leave large sums for the erection of monuments, even though the monument might be erected to an ex-President, was not a wise provision, and we could better afford to pay for those monuments out of the Treasury of the United States and, therefore, have control over them. I was just asking the gentleman.

Mr. FERRIS. I was impressed with the gentleman's suggestion, as a rule, but I am also impressed with what the gentleman from Pennsylvania [Mr. STEELE] is saying, that this House need not throw itself into a frenzy about building a monument to any ex-President of the United States; I do not care whether he be Democrat or Republican.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SLAYDEN. Mr. Chairman, I extend the gentleman's time three minutes. And with the gentleman's permission, I would like to interrupt him long enough to make a statement.

Of course I do not know the entire history of the Capital as to the erection of monuments. There have been monuments erected here by contributions from the outside. The Kosciusko Monument was so erected and the Columbus Monument was erected very largely at the expense of private citizens, as was also the Daniel Webster Monument and others.

Mr. GARRETT of Tennessee. Will the gentleman permit a suggestion. The monument to ex-President Garfield was erected by the contributions of organizations outside. The erection of the monument to the founder of the Grand Army of the Republic, which stands at Seventh Street and Pennsylvania Avenue, was erected by contributions of organizations outside.

Mr. SLAYDEN. I will say that it is not the practice, and there has been no custom of the sort as apprehended by my friend from Iowa, and so far as my influence goes there will be none, although at this time there are pending on the calendar two bills authorizing monuments to be erected on ground to be selected by the Commission of Fine Arts, where the cost is to be provided by outside sources. One of these is at the instance of the great Methodist Church and the other at the instance of the Catholic Church. And I am inclined to believe that when those two measures come before this House the suggestion of the committee will be accepted without much controversy.

Mr. GOOD. The incidents that the gentleman referred to, as I understood him, were incidents where there was a sentiment throughout some portions of the country, at least, and the contributions were in response to that sentiment.

Mr. SLAYDEN. The point is that they were erected by private contributions.

Mr. GOOD. But were there any cases where the persons in their wills left provision to erect monuments?

Mr. SLAYDEN. No; no other was proposed except in the case of James Buchanan. That is unique.

Mr. STEELE. Mr. Chairman, I was about to reply to the gentleman when I was interrupted. My personal opinion is that so long as Congress retains control over the whole situation I can see no objection to it. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. SLAYDEN. Mr. Chairman, I will yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would rather love my fellow man than hate him. [Applause.] I would rather honor him than traduce him. [Applause.] I would rather forget his failings than remember them after his death. [Applause.]

I do not believe the Congress of the United States is made up of men who propose to put the stamp of opprobrium upon a former President of the United States. [Applause.] I do not believe it is wise to do so during the progress of an international war. [Applause.] I would not believe it proper for the sake of American patriotism to do it at any time. [Applause.]

George Washington was criticized in his day and ill was said of him. Yet the man who would traduce him now would find it difficult to maintain the title of "patriot" in the United States.

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GOODWIN of Arkansas. Was any man ever traduced more than the great Lincoln by his own people in his own time?

Mr. MOORE of Pennsylvania. I think no public man was ever traduced as Abraham Lincoln was traduced, as much abroad as he was at home; and yet I would like to see the American to-day, at home or abroad, who would question the right of Congress or of citizens to erect a memorial to Abraham Lincoln. [Applause.]

Mr. DEWALT. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. DEWALT. Yet, after all that traducing, when history is written as it is written now, is there any man in the country who is more bepraised and beloved than Abraham Lincoln? [Applause.]

Mr. MOORE of Pennsylvania. Absolutely none, as well by the people of the South as by the people of the North. [Applause.] The time has come for us to forget these differences of 100 years ago or of 50 years ago. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes; I yield to my friend from Michigan.

Mr. McLAUGHLIN of Michigan. He is beloved now because what he stood for has been approved and justified. But is it not true that every complaint and criticism of James Buchanan has been magnified up to this very hour?

Mr. MOORE of Pennsylvania. Every criticism has been magnified?

Mr. McLAUGHLIN of Michigan. Every fault pointed to in his character and his record has been magnified, and the criticism of it has not been justified up to this hour?

Mr. MOORE of Pennsylvania. The fault has been magnified—yes—and for that reason I would be fair, as I would be patriotic, in dealing with this question. [Applause.] Read the sketches of James Buchanan and you read of no ordinary man. You read of one who was patriotic in the beginning and who lived his long public career with honor until criticism came. He closed that distinguished career—the first man of all the people of the United States—without a recorded blemish, except as to his judgment or as individuals had their opinions of him and the acts he performed. If this is to be the standard by which we are to judge our public men 50 years after their death, it would apply with distressing force to many of our illustrious forefathers, from George Washington down to the present time. We can pick flaws in the character and in the conduct of everyone of them, but it has been against public policy to do so; it has been against patriotic policy to traduce our public men, and I shall not be one to join now with others, whether I believed with James Buchanan in his time or not, to uphold to the scorn of the world one who had been dignified and honored as President of the United States. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SWITZER. Does the gentleman say that our school histories traduce Mr. Buchanan?

Mr. MOORE of Pennsylvania. My time has expired; but I would say that, so far as I have observed, they do not.

Mr. SLAYDEN. Mr. Chairman, is the gentleman from Massachusetts [Mr. WALSH] going to conclude in one speech?

Mr. WALSH. I have more than one speech.

Mr. SLAYDEN. How much time has the gentleman left?

The CHAIRMAN. The gentleman from Massachusetts has 28 minutes left.

Mr. WALSH. I will yield eight minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. SLAYDEN. Mr. Chairman, how much time have we left?

The CHAIRMAN. Seven minutes.

Mr. SLAYDEN. It is my purpose to conclude in one speech. I will ask the gentleman from Massachusetts to use some of his time now.

Mr. WALSH. I yield eight minutes to the gentleman from Nebraska [Mr. REAVIS].

The CHAIRMAN. The gentleman from Nebraska is recognized for eight minutes.

Mr. REAVIS. Mr. Chairman and gentlemen, I am somewhat reluctant to speak upon this subject, because I have no desire to fan the embers of ashes that should be dead. I am speaking only because I happen to represent in part a State that, together with the State of Kansas, was the storm center of the period during which Mr. Buchanan served as President. We are not asked to grant permission for the erection of a monument to James Buchanan in any capacity excepting as President of the United States. Whatever service he may have performed pre-

vious to his induction into that office is lost sight of in the measure that is now presented to the House of Representatives.

Personally, I think the erection of monuments in the National Capital should be a matter of very careful concern to the Congress. I do not believe monuments should be erected here as a matter of grace to the lady who happened to be the mistress of the White House during his incumbency. I do not believe that permission should be granted to erect this monument because of the mere fact that he happened to be President of the United States. I believe that before a monument is erected in the Capital of this Nation the one to whom the monument is erected should have been responsible for distinguished service which would justify the action on the part of the Congress.

I can give you in a word the idea I have in mind by the relation of an incident that occurred to me in this city a number of years ago. I came here on some business before the Interior Department, and brought with me a red-headed, freckled-faced little lad who was very much interested in the monuments and statues that he saw in this beautiful city. He talked to me about them repeatedly. One day when I was called to the Department of the Interior I asked him if he could get along without me during the course of the day. With all the confidence of youth he replied that he could get along a good deal better without me than he could with me. I said, "Well, son, you have been very much interested in the statues that you have seen in the city. Now, while I am busy in the department I want you to find the statue in Washington that is erected to the man who made the most money, and when I come back to the hotel for dinner this evening I want you to tell me about it."

As we sat at the dinner table that evening I asked him, "What about the statue?" He said, "Father, I could not find it;" and I replied, "It is not here. It is not anywhere in this gray old world of ours, because the man whose memory is perpetuated in marble is the man who gave most to the world and not the man who took most from it."

I have listened during this debate for some man to tell me or to tell this body of some contribution that James Buchanan as President of the United States made to the United States that would justify us in erecting a statue to him in this city. I have heard that we should erect it as a matter of grace to the lady who left the money. I have heard that we should erect it because it will not cost the Government anything. I have heard that we should erect it because he was at one time President of the United States, but I have yet to hear any man detail a single item or a single circumstance in his life as President of this great Republic that would justify this action in erecting a statue to him at this time. The gentleman from Pennsylvania [Mr. MOORE] spoke in favor of this bill. The day of miracles is not over, because during all of his address he was applauded from the other side of the aisle, and I never saw it happen before during my incumbency in this House. [Laughter.] The gentleman from Pennsylvania grows very charitable, and says that Abraham Lincoln was traduced. He was, in the hour of his activity, but he is not traduced to-day; and the reason that the civilized world has made of Abraham Lincoln a patron saint is that he gave his life in trying to destroy the very thing that Jim Buchanan tried to foster. [Applause.] Gentlemen of the House, I doubt exceedingly the advisability of passing this measure. I doubt exceedingly the advisability of the House of Representatives granting its permission to erect in the Capital of this Nation a statue to one who as President sought to destroy the Nation. I do not believe that this permission should be granted.

I am reluctant to say what I have said, and I have said it only because I come from the State that was the storm center of the activity, the State that was cursed by appointees during Buchanan's presidency, who came there spreading the propaganda that had to be destroyed by the Union at the end of a four-year war. I do not believe we should erect a statue to a man merely because he happened to hold a great office. A statue should be erected to the personality of the individual, and not to the office, and the test should be what contribution did that individual make to the welfare of America or the world. Up to this time I have listened in vain for a single statement as to the contribution of President Buchanan either to the welfare of the Nation or to the race. I am opposed to this bill. [Applause.]

Mr. WALSH. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Chairman, I had not intended to take part in the debate on this measure until the gentleman from Pennsylvania [Mr. DEWALT] made what seemed to me an astounding statement. I refer to that utterance of his in which he asserted that Abraham Lincoln and James Buchanan held the same views of the Constitution—this, in

effect, is what he said—and that under the same circumstances either of these men would have done what the other did in discharging the duties of the great office of President of the United States.

Now, nothing in my judgment—and I say this with all respect to my friend from Pennsylvania—nothing could be more wide of the truth than was that statement. That it is wholly unwarranted is shown by the unchallenged facts of history.

I respect a brave man; I respect Lee and Stonewall Jackson and the hosts of the Confederate Army, the great leaders and the rank and file who, believing that their first duty was to their respective States, went to the front offering their lives, if need be, in defense of what they thought was the right. I observe here a nod of approval from my friend, a brave Confederate veteran, the gentleman from Maryland, Mr. TALBOTT. But I do not admire, nor will I ever by my vote help to honor in the Capital of the Nation, the President who, after Abraham Lincoln had been elected to succeed him, wrote in his message to Congress in December, 1860, the words that I am about to read—words written as he saw approaching the storm that threatened to wreck the Republic, words which shocked and grieved lovers of liberty everywhere throughout the world. Said Mr. Buchanan:

"Without descending to particulars, it may be safely asserted that the power to make war against a State is at variance with the whole spirit and intent of the Constitution. Suppose such a war should result in the conquest of a State; how are we to govern it afterwards? Shall we hold it as a province and govern it by despotic power? In the nature of things, we could not by physical force control the will of the people and compel them to elect Senators and Representatives to Congress and to perform all the other duties depending upon their own volition and required from the free citizens of a free State as a constituent member of the confederacy."

He declared this Nation to be a confederacy, although the Constitution adopted in 1787 superseded the articles of federation which had made the colonies a confederacy.

He continued:

"But if we possessed this power, would it be wise to exercise it under existing circumstances? The object would doubtless be to preserve the Union. War would not only present the most effectual means of destroying it, but would banish all hope of its peaceful reconstruction. Besides, in the fraternal conflict a vast amount of blood and treasure would be expended, rendering future reconciliation between the States impossible."

And then he sat in his chair here in Washington and permitted one of his Secretaries to send the Navy to the South and another Secretary to send the Army and the munitions of war from the Government arsenals in the North to the South and to create a situation which when Abraham Lincoln, freedom's apostle, reached Washington seemed to many to be without hope.

But in this tremendous crisis, what did Lincoln say?

"My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it, while the new administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty."

This far he had been pleading. Listen, now, to his noble, kindly words of warning:

"In your hands, my dissatisfied fellow countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to 'preserve, protect, and defend it.'"

Lincoln did not quail. But when they seceded and attacked the Government he called for volunteers to preserve, protect, and defend the Constitution and save the Nation. Buchanan, had he then been in the presidential chair, would have said again

what he said in his message of December, 1860, before Lincoln came here, and nothing would have been done to coerce the seceding States. They would have gone, and this great Nation, dedicated by our fathers to the cause of human liberty, would have been rent in twain and one-half given over to the blackest despotism that ever cursed the earth. To this Republic, saved through those four awful years, the world has ever since looked, and looks to-day, for the influence and example which are sending liberty and the spirit of democracy around the world. But had Buchanan and not Lincoln then been in the White House our example would have been lost and lost forever. Buchanan's own words testify to the truth of my assertion. And they demonstrate how utterly mistaken was the gentleman from Pennsylvania [Mr. DEWALT] when he declared that under the same circumstances Buchanan would have done what Lincoln did. [Applause.]

Mr. SLAYDEN. Mr. Chairman, I would like to have the attention of the gentleman from Massachusetts [Mr. WALSH]. I understand that the gentleman has concluded his side with the speech of the gentleman from Wisconsin [Mr. COOPER].

Mr. WALSH. I have no further speeches that I know of at present.

Mr. SLAYDEN. I thought we had an agreement as to that a few moments ago. I told the gentleman that I would have one more speech, and I understood the gentleman to agree to that—that we would conclude with these speeches.

Mr. WALSH. What does the gentleman propose to do at the conclusion of this speech?

Mr. SLAYDEN. To close general debate.

Mr. MADDEN. Mr. Chairman, is it the gentleman's intention to proceed to the consideration of this resolution under the five-minute rule after the general debate is closed?

Mr. SLAYDEN. I will say to the gentleman that I do not see any reason why we should not have a vote upon this tonight, or if we can bring it up to a vote and agree when the vote will be taken it will be satisfactory to me. I do not want to inconvenience the gentleman.

Mr. MADDEN. The gentleman certainly does not want to cut off the opportunity to offer amendments?

Mr. SLAYDEN. I probably would not be able to do that if I wanted to.

Mr. MADDEN. I suggest the wisdom to the gentleman of moving to rise after the close of general debate and taking this bill up under the five-minute rule on next Wednesday.

Mr. SLAYDEN. There are two or three other bills on the calendar.

Mr. GILLET. It is so late I think that that could be done. We will want to have a roll call on this bill.

Mr. SLAYDEN. Very well. I shall consent to that. I now yield the remainder of my time to the gentleman from Illinois, the Nestor of the House [Mr. CANNON].

The CHAIRMAN. The gentleman from Illinois is recognized for 17 minutes.

Mr. CANNON. Mr. Chairman and gentlemen of the House, I have not heard all of this debate. I had no intention of saying a word touching this resolution; and yet as I have listened, first to one and then another, I felt that as I shall vote for the bill I ought to say a few words. I do not do it in temper; I do not do it to open up old sores. I do it because, as I understand the resolution, this statue is to be erected by virtue of the will of Harriet Lane Johnson, the niece of President Buchanan, somewhere on Sixteenth Street. I have lived for almost 82 years, and I have seen many things happen. I have read many platforms. I have heard many political speeches. I have seen great contests on the floor of this House. I have seen a great Civil War. I knew Lincoln personally, though I was not an intimate acquaintance of his; but I knew him, and I did not know President Buchanan and had no acquaintance with him; but just let me call your attention to the history of our country.

This Government has been in the course of evolution. We achieved our independence by a Revolution, then the Confederacy, then the Constitution, then John Marshall, the Chief Justice of the Supreme Court. Oh, we had a war then with England. We had a war with France; and the truth is we had a war with France and England both at the same time. It was not declared, but it was a war. We had embargoes; we had hot fights between the North and the South. While I was not living at the time, yet I can recollect the hurrah that was given, within my recollection, where it would bring on fights when people were called Blue Light Federalists. If I recollect and have read history properly—I think I am not mistaken—New England wanted to secede. I think it was in 1812 that

the Hartford convention met, and way before that the doctrine of secession was talked of and approved.

I believe before that time Kentucky passed her resolution declaring the right of a State to secede, and from that time down to 1856, when James Buchanan was nominated as the candidate for President, there never was a national Democratic platform but what it contained a resolution indorsing the Kentucky and Virginia resolutions which spoke for the right for a State to secede. [Applause.] Buchanan was elected upon that kind of a platform. Thank God, Lincoln was elected, and, oh, thank God, thank God, you men who are Democrats on that side of the House, thank God that Lincoln was elected, and that you and your forbears failed. [Applause.] But yesterday in Virginia the legislature, held in the same hall as I read the news where the secession ordinance was passed, adjourned out of respect for Lincoln. Now, Stanton has been spoken of. He was in Lincoln's Cabinet. He was a Jackson Democrat, and a good Democrat, indorsing his policies. Stanton was also a member of Buchanan's Cabinet and was such member when Buchanan's term expired; he supported Buchanan in 1856 upon a platform that indorsed the Kentucky and Virginia resolutions. It is true he became a Union supporter of Lincoln and afterwards went into Mr. Lincoln's Cabinet, if I recollect aright, in 1862, succeeding Cameron. Since that time we have had reconstruction; since that time we have had war with Spain; since that time this great war is upon us. In the year 1812 New England and largely New York were not orthodox touching secession, and later on, my Democratic friends, you were not orthodox. Now Lincoln wanted to preserve the Union. We had a hard time in that great contest. The battle was on along the borderland, evenly divided. Kentucky and Missouri had full quotas in both armies. West Virginia had many men in both armies. In 1862 there was a decided revolution in Illinois, Indiana, and Ohio. In 1864 the northern Democracy met in Chicago, if I recollect aright, and adopted that platform, one plank of which declared the war a failure and demanding an armistice and a compromise. Lincoln was reelected. Say, did you ever go over to Arlington?

Oh, there is where the Nation's patriotic dead lie—generals, privates, fighting for the flag, who have crossed over—there is where they are buried. You know I rode with a man in the Navy some little time ago, and he said, "CANNON, there is where I am going to lie." I believe Westminster Abbey is where they bury their distinguished dead in England. They have had any amount of rebellions in that country. There the dust of patriotic and great men lie. The Westminster Abbey of this country, if it is found anywhere, is to be found over at Arlington, near Washington. Union generals and privates who fought and died, and who have died since, and generals and privates of the Confederate Army following their convictions are there buried upon Uncle Sam's land that Uncle Sam paid for, and paid for after the Civil War was over.

James Buchanan, as I read history, was a great man. He was ambassador to England. He was a Senator of the United States. I recollect very well the campaign of 1856. He was a great man, but he indorsed the Kentucky resolution and the Virginia resolution. He did not believe that he had that power to coerce a sovereign State. He did not want to see a State go, but he said that there was no power to coerce it. He was true to the platform of the Democratic Party upon which he was elected.

Mistaken? Yes. But, after all is said and done, he was President of the United States. Oh, I have sat here in the Chamber of the House of Representatives with hundreds of men who fought to the end for the success of the Confederacy.

There were some good things that came out of the war with Spain as well as some bad things. Sometimes some of us think that one of the bad things was the possession of the Philippines, but I will not discuss that matter. But that war did cement the North and the South. [Applause.] And while I disagree with my Democratic brethren upon this floor touching economic questions, and sometimes disagree with some or all on my own side of the House touching other questions, I am answerable to my constituency, and there is no man in this House or in the Senate but that has the same right as a Representative that I have. And I honor you, Republicans, and I honor you, Democrats.

Now, what is this proposition? As I understand it, Harriet Lane Johnston gives by her will \$100,000 with which to erect this statue on Sixteenth Street, in Washington. I am not here to open up the wounds of the Civil War. I thank God for Lincoln. I abused the policy that Buchanan stood for with all the power that was in me during that great struggle. I can understand how Gen. SHERWOOD, whose letter was read here, could in 1859 have properly written it. And he afterwards made good

by his magnificent services. [Applause.] But he now sits on that side of the House—

Mr. SHERWOOD. Yes; and I am going to vote for the bill. [Applause.]

Mr. CANNON. My friend says he is going to vote for the bill. I can quite understand why gentlemen, without perhaps fully weighing the matter, might conclude that this would indorse the principles that James Buchanan stood for touching secession. I think now, as it is all behind us, and in view of all our magnificent history and great progress, it is not a very good policy to assume at this time; and it would not bear fruit even if you did not erect the statue there. When you criticize James Buchanan for his action and for his nonaction, and for his messages, you criticize one-third of the Northland that was cotemporary with him; and there were at least one-third of them that agreed with the South. And you criticize the Southland, too, that was substantially solid against Lincoln and the Union, but now for the Union and the flag.

Let the dead past bury its dead, and let us at this time stand shoulder to shoulder for success in our great world's war for free seas and against autocracy. [Long and continued applause.]

Mr. SLAYDEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution No. 70, authorizing the erection on the public grounds of the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. DENTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record.

The SPEAKER. The gentleman from Maryland asks unanimous consent to revise and extend his remarks in the Record. Mr. GILLET. On what subject?

Mr. LINTHICUM. On the Buchanan monument.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting a speech made by my colleague, Mr. LA GUARDIA, at Milan, Italy.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, what is the speech that the gentleman wishes to insert in the Record?

The SPEAKER. A speech made by Mr. LA GUARDIA somewhere in Italy. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the alien-slacker bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the Record on the alien-slacker bill. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. SLAYDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Thursday, February 14, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of communication from the Superintendent of the State, War, and Navy Department Building submitting supplemental estimates of appropriation required for the operation of the War and Navy office buildings in Henry Park for the fiscal year 1919 (H. Doc. No. 931); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Commissioners of the District of Columbia submitting revised estimates of appropriation required by the Militia of the District of Columbia for the fiscal

year 1919 (H. Doc. No. 932); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting estimates of appropriation for the purchase of the site and the fireproof building being erected thereon for the use of the Treasury Department, together with an extension thereto, not yet commenced, known as the Arlington property (H. Doc. No. 933); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the bill (S. 3402) to fix the age limits for candidates for admission to the United States Naval Academy, reported the same without amendment, accompanied by a report (No. 303), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3129) to provide for the disposition of the effects of deceased persons in the naval service, reported the same without amendment, accompanied by a report (No. 304), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3401) to authorize the President to reduce temporarily the course of instruction at the United States Naval Academy, reported the same with amendment, accompanied by a report (No. 305), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3406) to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps, reported the same without amendment, accompanied by a report (No. 306), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 3445) to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes, reported the same without amendment, accompanied by a report (No. 307), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 6982) to authorize and empower the Secretary of the Navy to enter into and contract for the construction of a line of railway from a point in the District of Columbia to Indianhead, Md., reported the same with amendment, accompanied by a report (No. 308), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 3404) to authorize the President to drop from the rolls any naval or Marine Corps officer absent without leave for three months, or who has been convicted of any offense by the civil authorities, and prohibiting such officer's reappointment, reported the same with amendment, accompanied by a report (No. 309), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3130) to amend section 1570 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 310), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 3400) to regulate the pay of retired chief warrant officers on active duty, reported the same with amendment, accompanied by a report (No. 311), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WALTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 4240) for the relief of Alma Harris, reported the same without amendment, accompanied by a report (No. 302), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EVANS: A bill (H. R. 9829) to authorize the sale of certain lands to School District No. 28, of Missoula County, Mont.; to the Committee on the Public Lands.

By Mr. RAINEY: A bill (H. R. 9830) providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914; to the Committee on Ways and Means.

By Mr. NORTON: A bill (H. R. 9831) to stimulate and encourage an increased production of wheat during the crop season of 1918 by amending section 14 of the food-control act, approved August 10, 1917, by fixing the guaranteed price of wheat for the crop of the year 1918 at \$3 a bushel instead of \$2 a bushel; to the Committee on Agriculture.

By Mr. SULZER: A bill (H. R. 9832) to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding \$25,000 for the purpose of constructing dikes, flumes, and other works to confine the waters of Lowell Creek for the protection of said town; to the Committee on the Territories.

By Mr. EVANS: A bill (H. R. 9833) to authorize the President of the United States to grant furloughs to enlisted men of the Army of the United States; to the Committee on Military Affairs.

By Mr. RAKER: Joint resolution (H. J. Res. 245) extending the privileges of the act of Congress, approved December 20, 1917, to homestead settlers and entrymen employed in shipyards, coal mines, transportation, munition plants, etc.; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL of Kansas: A bill (H. R. 9834) granting an increase of pension to James G. Johnson; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 9835) granting an increase of pension to John M. Thorn; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 9836) granting a pension to Joseph E. Rogers; to the Committee on Pensions.

Also, a bill (H. R. 9837) granting an increase of pension to Walter W. Bell; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 9838) granting a pension to Sarah Morrill; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 9839) granting a pension to Ellen M. Davenport; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 9840) granting an increase of pension to James McNeal; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 9841) granting a pension to Charles B. Carlson; to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 9842) for the relief of George A. Cummings; to the Committee on Claims.

By Mr. HULL of Tennessee: A bill (H. R. 9843) granting a pension to J. M. Stewart; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 9844) for the relief of Welton W. Pratt; to the Committee on Military Affairs.

Also, a bill (H. R. 9845) for the relief of Elijah C. Putman; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 9846) granting a pension to John E. McCoy; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 9847) granting an increase of pension to Nelson B. Pilcher; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 9848) granting an increase of pension to Mary Leahy; to the Committee on Pensions.

By Mr. POLK: A bill (H. R. 9849) granting an increase of pension to William G. Fearing; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 9850) granting an increase of pension to John C. Kauffman; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 9851) granting an increase of pension to Henry Crooks; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 9852) for the relief of T. J. Skellett; to the Committee on the Post Office and Post Roads.

By Mr. SELLS: A bill (H. R. 9853) granting a pension to Hess Elliott; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 9854) for the relief of Ellen Agnes Monogue; to the Committee on Claims.

By Mr. SWITZER: A bill (H. R. 9855) granting an increase of pension to Silas Litten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9856) granting an increase of pension to James N. Tewksbury; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 9857) granting an increase of pension to James T. Rollf; to the Committee on Invalid Pensions.

By Mr. TEMPLETON: A bill (H. R. 9858) granting a pension to Mame Cooley; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 9859) granting an increase of pension to Nelson White; to the Committee on Invalid Pensions.

By Mr. EMERSON: Joint resolution (H. J. Res. 246) to give a medal of honor to Capt. Horatio P. Kile; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Memorial of the Abraham Lincoln Patriotic and Educational League, asking Congress to indorse these principles of the league: (1) To better the social conditions of the people; (2) to teach the life of Abraham Lincoln in the public schools; and (3) to make his birthday a national holiday; to the Committee on Education.

By Mr. CAREW: Memorial of Chamber of Commerce of the State of New York, relative to the survey of the Delaware & Hudson Canal; to the Committee on Rivers and Harbors.

Also, memorial of Chamber of Commerce of the State of New York, asking for uniform postal rates in the city of New York; to the Committee on the Post Office and Post Roads.

Also, memorial of the Association for an Equitable Income Tax, asking that the income-tax law be amended so that the burdens of the war shall be shared equitably; to the Committee on Ways and Means.

By Mr. CARY: Resolutions of the New Century Club, Wichita Falls, Tex.; the Fortnightly Club, Sharon, Mass.; the Lakeside Club, Manistee, Mich.; and the Woman's Club, Racine, Wis., asking for the repeal of the periodical postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. CLARK of Pennsylvania: Petition of Joanna A. Royer, Mary Nash, Helen Golden, Edna Serr, Helen Burks, and 36 others, praying for the passage of House bill 7995, for the preservation of the Niagara. Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DALE of New York: Petition of James A. McKean, of the Brotherhood of Railroad Trainmen, opposing House bill 8172 and Senate bill 3385; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Woman's Club, Beaver Dam, Wis.; Woman's Club, Racine, Wis.; Merchants, Manufacturers, and Employers' Association, Stockton, Cal.; the Thursday Club, Bowie, Tex.; and the New Century Club, Wichita Falls, Tex., asking that the periodical-postage amendment to the war-revenue act be repealed; to the Committee on Ways and Means.

By Mr. DALE of Vermont: Petition of L. B. Jones and other employees of the customs service of Island Pond, Vt., favoring the passage of the so-called Keating bill, increasing the compensation of Federal employees; to the Committee on Appropriations.

By Mr. ELSTON: Resolution of the Woman's Christian Temperance Union of Berkeley, Cal., indorsing legislation to safeguard the morals of American soldiers in France; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Memorial of the National Security League, for coordination of the departments of Government in the matter of espionage; to the Committee on the Judiciary.

Also, petition of the National Federation of Federal Employees, opposing the Borland amendment for an eight-hour day; to the Committee on Agriculture.

Also, memorial of the Merchants, Manufacturers, and Employers' Association of Stockton, Cal., against the increased postage rates on periodicals; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of citizens of Pennsylvania, favoring increased compensation of rural carriers and postal employees; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Protest of Rhode Island Mulespinners' Association No. 3, of Pawtucket, R. I., against any interference with plans of Secretary of War concerning Army movements; to the Committee on Military Affairs.

By Mr. LINTHICUM: Memorial of the Marine Engineers' Beneficial Association No. 5, Baltimore, Md., favoring House bill 7913; to the Committee on Interstate and Foreign Commerce.

Also, petition of Edward C. Wilson, Baltimore, Md., favoring the Pyote legislation on behalf of the Indians; to the Committee on Indian Affairs.

Also, petition of Fred H. Taft, Baltimore, Md., opposing daylight saving and the Borland amendment; to the Committee on Agriculture.

Also, petition of George F. Prechtel, president of the Carriage & Toy Co., Baltimore, Md., favoring House bill 9414; to the Committee on the Post Office and Post Roads.

Also, petition of Dr. John Rurrah, Baltimore, Md., and a memorial of the National Citizens' Creed Contest, urging the repeal of the periodical postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. OSBORNE: Petition of the Pacific Coast Division of the Bohemian National Alliance of America asking that the oppressed people of Bohemia be given their freedom when the new map of Europe is made at the close of the present war; to the Committee on Foreign Affairs.

By Mr. RAINEY: Petition of Capt. H. W. Leyhe and other steamboat officials of St. Louis, Mo., favoring larger compensation for steamboat inspection officials; to the Committee on the Merchant Marine and Fisheries.

Also, petition of A. C. Poole and other train dispatchers at Roodhouse, Ill., favoring larger compensation for train dispatchers; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES B. SMITH: Resolution of the New York Board of Trade, protesting against section 13 of the Sims bill and suggesting an amendment stating a definite time when Federal control shall cease; to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: Resolutions of the Farmers' Institute, at Convoys, Ohio, favoring effective prosecution of the war; to the Committee on Military Affairs.

Also, petition of David K. Stedman and 16 other comrades of Pioneer, Ohio, favoring an increase in the rate of pension to Civil War veterans; also a resolution of Bishop Post No. 22, Grand Army of the Republic, Defiance, Ohio, favoring the passage of the Smoot pension bill; to the Committee on Invalid Pensions.

By Mr. TEMPLE: Papers to accompany H. R. 9607; to the Committee on Invalid Pensions.

By Mr. VARE: Memorial of the Lumbermen's Exchange, Philadelphia, Pa., relative to the establishment of a board of war control; to the Committee on Military Affairs.

SENATE.

THURSDAY, February 14, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray that the light of Thy divine truth may shine clear and strong upon every question that presents itself to our minds this day and that our hearts may be very responsive to the divine impression; that we may do all things according to the will of God. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. ASHURST. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	McCumber	Ransdell
Beckham	Hitchcock	McKellar	Robinson
Chamberlain	James	McNary	Saulsbury
Colt	Johnson, Cal.	Martin	Shafroth
Culbertson	Jones, N. Mex.	Nelson	Sheppard
Cummins	Jones, Wash.	New	Shields
Curtis	Kellogg	Nugent	Smith, Ga.
Dillingham	Kirby	Overman	Smith, Md.
France	Knox	Page	Smith, Mich.
Gerry	Lewis	Pittman	Smith, S. C.
Hale	Lodge	Pomerene	Smoot

Sterling	Thomas	Trammell	Wolcott
Stone	Thompson	Vardaman	
Sutherland	Tillman	Watson	
Swanson	Townsend	Williams	

Mr. CURTIS. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness in his family.

I wish also to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness.

I will let this announcement stand for the day.

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. HENDERSON. I present brief resolutions adopted by the Women's Civic League, of Reno, Nev., which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

NEVADA WOMEN'S CIVIC LEAGUE,
Reno, Nev., January 29, 1918.

Hon. CHARLES HENDERSON,
Washington, D. C.

DEAR SIR: The following resolutions were adopted at a meeting of Women's Civic League at Reno, Nev., on January 20, 1918:

Resolved, That the members of the Civic League call upon President Wilson and the Democratic administration to give support to the national suffrage amendment by making it an administration measure, and securing its passage in the present session of Congress, at the time when the Government is calling for the indispensable service of the women in bearing the burden of war: Be it also

Resolved, That the members call upon the Senate of the United States to pass at once the Federal suffrage amendment, establishing at home that democracy for which the men of this country have been called to fight abroad; that this resolution be read into the CONGRESSIONAL RECORD as evidence of the activities of our leaders: Be it also

Resolved, That this resolution be sent to the President; Vice President; Senator THOMAS MARTIN, Democratic leader of the Senate; Senator JACOB H. GALLINGER, Republican leader of the Senate; to Senator JONES, chairman of the Woman Suffrage Committee; and to our Senators.

Yours, respectfully,

MINNIE FLANIGAN, President.
Mrs. MILES KENNEDY, Secretary.

Mr. ROBINSON. I present resolutions adopted at a meeting of citizens of Fayetteville, Ark. I ask that they may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions adopted by citizens of Fayetteville, Ark., in patriotic assembly, February 1, 1918.

Whereas we recognize, in a measure, the magnitude of the work of organizing and equipping the fighting forces of our country and the multitude of new and intricate problems; and

Whereas we realize the limitations of human skill and human wisdom and human knowledge, and something of the terrible responsibility heaped upon our President and his Cabinet; and

Whereas we are aware, through the medium of the public press, of the actions, criticisms, and investigations by certain individuals in and out of Congress of the work, purposes, and plans of the United States Government with reference to the prosecution of the war, which have tended to disturb confidence in our leaders and to divulge important military secrets, to the aid and comfort of the enemy: Therefore be it

Resolved, That we, as citizens of Fayetteville, Ark., in mass meeting assembled, while recognizing the value of helpful, wholesome, constructive criticism, deplore the injection of anything in the nature of partisan strife into the discussion of our war measures or our plans for prosecuting the war, and that we express in the strongest terms our disapproval of any actions, accusations, and investigations which have a tendency to break down the confidence of the public in the wisdom, honesty, or patriotism of the men on whom rests the responsibility for the prosecution of the present war or which be the means of furnishing any information that might be of benefit or comfort to our enemy.

Resolved, That we express the highest degree of confidence in President Wilson, Secretaries Baker and Daniels, and pledge them our utmost loyalty, and urge that our Representatives and Senators be urged to cooperate with them to the end that their war plans may bring to speedy success this struggle for the safety of the democracies of the world.

Resolved, That copies of these resolutions be sent to President Wilson, Secretaries Baker and Daniels, and to Senators ROBINSON and KIRBY, and Congressman TILLMAN.

Approved in mass meeting.

W. S. CAMPBELL, Chairman.
THOMAS SHELTON, Secretary.

Mr. ROBINSON. I also present a telegram from the Business Men's League of Helena, Ark., which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

HELENA, ARK., February 7, 1918.

Hon. JOSEPH T. ROBINSON,
Senate Office Building, Washington, D. C.:

The disaster to American troops reported to-day impels this community to vigorously protest against continuation of public investigations disclosing secret plans of War Department and furnishing information to enemy agents that may lead to the murder of thousands more of our soldiers. German agents and partisan politicians are in same class. Our sons offering their lives and our citizens contributing